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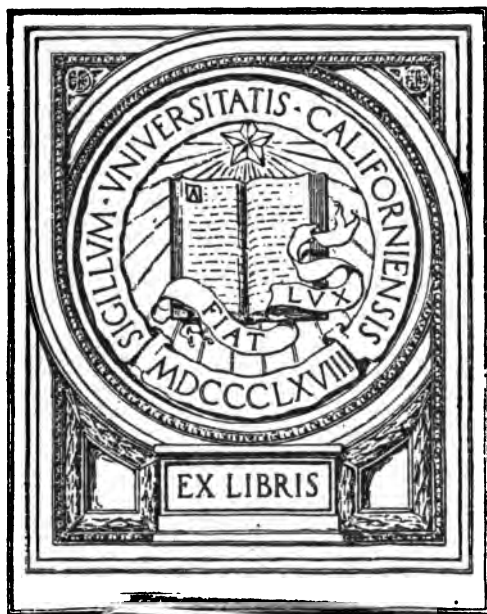
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King Mammon

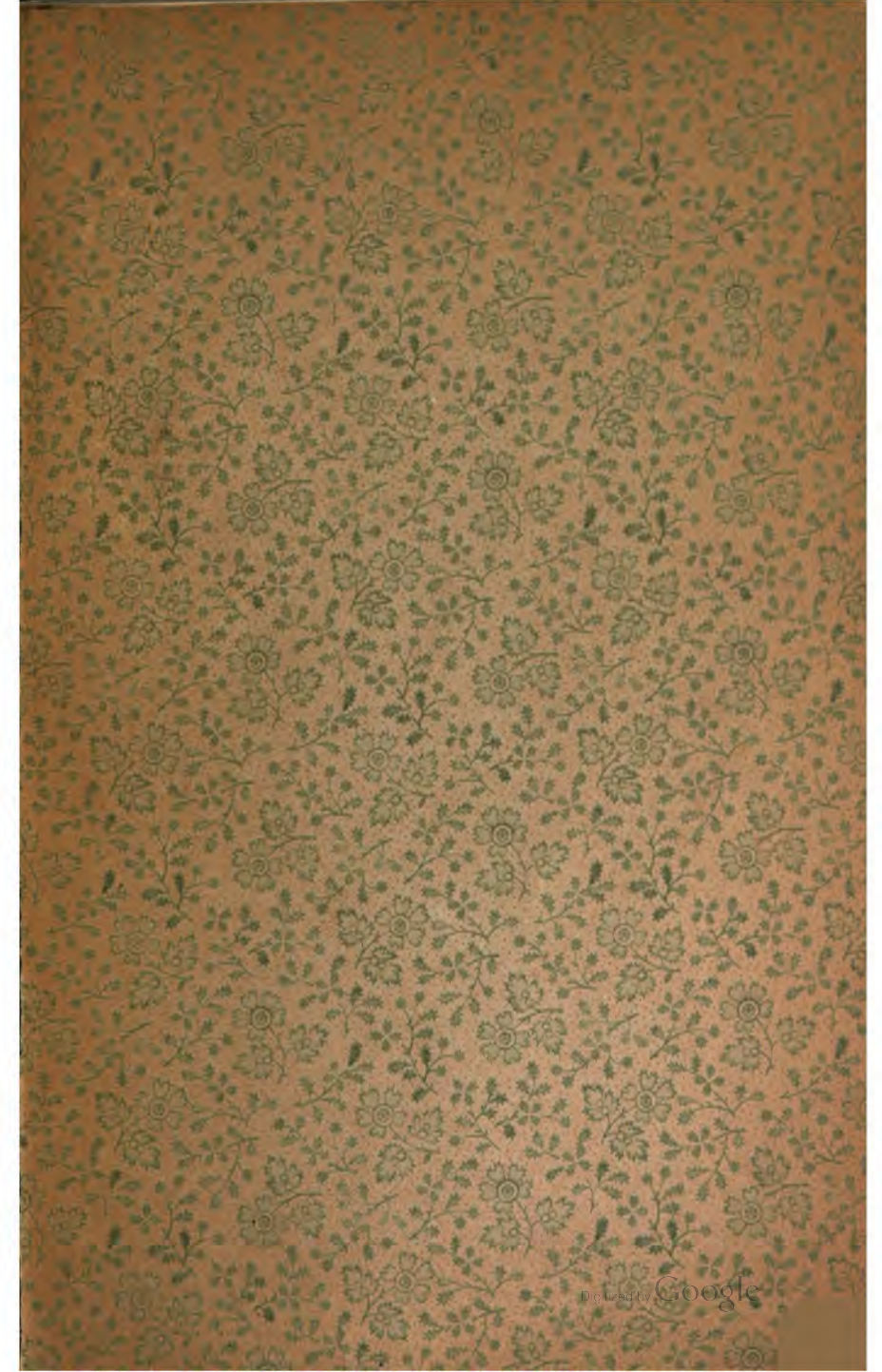


Bernard Moses

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BERNARD MOSES



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KING MAMMON

AND THE

HEIR APPARENT

BY
GEORGE A. RICHARDSON
"

"Ye cannot serve God and Mammon"



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BERNARD MOSES

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TO the Spirit of Moral Progress, dormant in the heart of the extreme conservative, fiercely energetic in the heart of the earnest reformer, but dominant, actively or passively, in the life of every human being; a Guiding Spirit which has transformed man's brutal condition of the past into the better condition of the present; which now compels the highest type of this changing creature, in subservience to the inward monitor, to treat his dogs and horses more kindly and justly than he once treated his sons and brothers; and which, it is to be hoped, will transform the same being by future modifications into a creature still more closely approaching that ideal of mental power and moral perfection which the developing comprehension of humanity in every age and country deifies, this book is reverently dedicated.

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KING MAMMON.

CHAPTER I.

KING MAMMON AND HIS REALM.

"For all human things do require to have an Ideal in them ; to have some Soul in them, as we said, were it only to keep the Body unputrefied. And wonderful it is to see how the Ideal or Soul, place it in what ugliest Body you may, will irradiate said Body with its own nobleness ; will gradually, incessantly, mould, modify, new-form or reform said ugliest Body and make it at last beautiful, and to a certain degree divine ! Oh, if you could dethrone that Brute-god Mammon, and put a Spirit-God in his place ! One way or other, he must and will have to be dethroned."

—THOMAS CARLYLE.

IN the closing decade of the nineteenth century, reckoned from the earth-visit of a forgotten Christ, Mammon is King of the civilized world. You, my reader, need no presentation to the King. You have faithfully served him ; so have I. Neither of us two may have achieved high rank in the King's service ; possibly neither has bent the knee in that servile adulation which is the surest means of securing the royal favor : yet we have both honored Mammon. Out of that continued reverence will come servility, and out of servility degradation. Let me whisper to you before it is too late : *King Mammon is a tyrant !*

Tyranny in this free land of America, did you say ? Tyranny under our Declaration of Independence, our

venerated Constitution, our starry flag, our privileges of the ballot, of free speech, of assemblage? These are forms, Reader,—baubles, trinkets, playthings, with which infantile humanity has been amused under other names since men left records of their life-work. There is no freedom, except the freedom of the human heart and mind from the service of Mammon ; for wealth is naught but power, and power unlimited has ever been the tyrant's conception of heaven for him on earth. When all men, Reader, seek to own and dominate this little fragment of universe named earth, think you that *freedom* can exist among them? Mammon laughs at such conception of his power.

Mammon is a tyrant, Reader ; so are you and I tyrants. For we are loyal subjects of the King ; and found you ever a courtier under kingly tyranny who was not as great a tyrant when he possessed the power? In Mammon's realm, some are courtiers and many serfs. If *you* be one of Mammon's princes, consider not that by your rank you may escape his tyranny. Do not his favored courtiers perish every day in faithful allegiance to their lord? Yet what *real* profit and reward have these honored subjects secured at last from their King? They have toiled in his service during a feverish existence, slavishly obedient to his commands ; they have collected with infinite trouble into great storehouses many scraps of earth that Mammon prizes ; they have guarded these stores by day and dreamed of them by night in servile devotion ; they have worn out body and brain and life in protecting the treasures : yet what reward did they receive at the end of this life service? Did they get more for their faithful labor than the paltry food and clothing that conferred a beggar's comfort upon their slavish existence? Having enslaved other men by the commands of the tyrant, were they not themselves enslaved by his power? Think you

that *any* man escapes tyranny in the service of Mammon?

And, Reader, if you be a serf in this realm of Mammon, do not flatter your foolish self with the idea that tyranny dwells only in the hearts of kings and courtiers. Do not think for a moment that lack of power means the absence of tyranny. Do not cheat yourself with the belief that because Mammon has not honored *you*, a nobler spirit dwells in your own breast than those which animate other tyrants raised above you. Do not suppose that hating tyrants is the same as hating tyranny. One tyrant, like you and me, may hate another and both remain slaves to their impulses; but only those human beings who are emancipated by their love of freedom among other men can themselves be free. Do not believe that mere poverty drives out tyranny from the human heart. The beggar is a despot in beggarly possessions.

Whether, then, you be serf or courtier, Reader,—whether your life-station under Mammon's sway gives you power over other men, or whether you feel no power in your own hands, but only hatred of some being possessing power that dominates your own life-work—remember that tyranny is a thing which comes out of your own heart and mind. The King whom you honor and serve is only the embodiment of your own instincts. The tyranny of Mammonism is your own inner life, given power and turned against you. The despotism of Mammon is the despotism of his subjects, emanating a little here, a little there, and aggregating finally into a power that is crushing its creator as petty tyrants have been crushed by aggregated tyranny since man wrote history. Would you dethrone this tyrant? Then first tear out his image from your own heart. Destroy the despot's power there, and all will be well; but think not that Mammon's forms of government can be improved by other Mammonism.

Have *you*, O Reader, not helped to build for this tyrant the stately structures described in this secret bulletin from his court?

Stealthily and persistently has the power of the King been extended, and now in the heart of every capital city of the world, where the golden cross of Christ is reared in shameless mockery of His humble teachings, a palace has been built for Mammon's occupancy. In material and decorative effect, the palaces of the King are various; but in their ground plans and general development, these stately edifices are identical. The structures are of varying extent, but the foundations always follow the lines of a Greek cross with arms extended to the four points of the compass. Every wing of the palace is entered through a great archway, and the interior comprises a vast apartment in each of the four arms, and a fifth in the center, subdivided into smaller sections and containing at the center the king's throne. Inscribed above the arched outer entrances to these apartments of Mammon's castles appear strange legends, sometimes in one language, sometimes in another, for they are the foundation principles upon which the King claims a divine right to rule, and must be understood by all from whom he would have reverence.

Over the southern division, which is a temple of worship, ornamented with high pointed arches, and illuminated by a softened light from the narrow, stained windows, appear bold letters curving above the emblem of the cross and forming the text: *The poor ye have always with you*. Passing beneath the archway the devotee in Mammon's temple finds himself in a church massive in its architecture, rich in its ornamentation, magnificent in the salary of its pastor, lucrative in the rent of its pews, highly observant of social rank and decorum, forgetful of the teachings of genuine Christianity, and false in its interpretation of life duties and eternal justice. All sorts of doctrine within the limits of the Christian faith are set forth in this temple of worship, for Mammon is tolerant of all religions that conflict not with the divinity of riches. All minor heresies he will excuse, provided that prayers be regularly offered for his continued power and glory,

and sermons be frequently preached from the text above the outer archway.

The eastern wing of the palace is a hall of legislation, filled with a sample group of the millions outside the King's castle, who send delegates here to confer with him and ascertain his pleasure. They are termed the lawmakers of that portion of the King's domain in which the castle is located, and they are manufacturing laws of the people, by the people, for the people, under the supervision and careful direction of the King, who spends much of his time in this part of the palace, and fills his place with a trusty courtier when he is compelled to be away. He has more faith in legislators, than in scientists or priests, though he welcomes all kinds of subserviency. Inscribed above the archway to this hall are the words, *Laissez faire*. Many of the legislators are not versed in languages or history, and their conception of the exact meaning attached to this phrase by King Mammon is not very clear, but they interpret it to mean that they shall let him alone and, in dutiful accordance with this theory, they proceed to act in obedience to his edicts, without interference with his plans. The King is well satisfied with his body of lawmakers, and nearly every part of their work bears the golden seal of his approval.

The northern hall of the castle is noisy with the hum of machinery and alive with an army of busy workers. It is the department whence the King issues his bulletins to the people. Like the creeds of the church, there are issued here a thousand different names and styles of publication, often assailing one another after the saintly fashion of the priesthood, but all giving due honor to King Mammon and all publishing in bold letters at the head of their columns, the inscription which Mammon has selected for the archway to this hall, and which apparently reads :—*The freedom of the press must and shall be maintained*. Entwined with the letters of this inscription, however, is a curious border of characters like the picture-writing of the ancient Egyptians, which has a meaning that is not suspected by the common people. One or two archæologists, good for nothing except such worthless employment, have deciphered the characters, and they assert that the real meaning of the entire inscription is : “The freedom of the press (to publish what it is paid for) must and shall

be preserved. This department is also frequently favored by the King's visits, for its facilities enable him to communicate frequently with many subjects who do not often appear at the palace. When he has no special edicts to make known through the agency of this department, he directs that articles shall be prepared reciting the growth of liberty and equality, the comfort and progress of the people compared with their former condition, the perfection of existing institutions and the national glory that is before the people. Strict orders are issued by the King that nothing is to be published of his own power and glory, but that the country and the people are to receive much consideration from the writers. King Mammon does not encourage biographers. In the fourth hall of the castle, on the western side, seats are arranged to accommodate a vast number of people, for it is a lecture room where science, politics, and art receive the attention of eloquent and talented speakers in the King's behalf. There is a tripartite inscription above this arched entrance, each portion appropriate to one of the three topics of discussion to which the hall is devoted. First appears the scientist, in *The survival of the fittest*; then comes the politician with, *Our country right or wrong*; and finally the artist, declaring that, *Wealth and art are inseparable*. The King's scientist teaches that the laws of nature and not the laws of man control all social conditions and social progress; that man is but a bubble on the sea of life, tossed about by the great evolutionary forces surrounding him. If he survives the destruction that everywhere threatens him, his survival is the "survival of the fittest"; if he goes down under adversity and complains that laws might be made better and men happier, he is assured that nature and not man is responsible for his trouble. The politician expands his chest with mock patriotism, wraps the flag of his country metaphorically around him—any flag is satisfactory to King Mammon—and proceeds to expatiate upon its glorious institutions, the bravery and intelligence of its men, the beauty and virtue of its women, the freedom and equality of its institutions, and the achievements and triumphs of the past. These discourses are very pleasing to the King, and very soothing to his subjects. The art lecturer has much to say of the whichness of the what, of optimistic and pessimistic

thought expressed in poetry and sculpture, in architecture and painting ; of the ideals of life, the aspirations of the soul, of truth to nature and fidelity to art. Neither the King nor the people comprehend the exact meaning of these artistic ideas, but Mammon encourages art and encourages lectures to prove to the people that all is for the best ; that life is still a poem, although the metre may be at times irregular ; and that when our minds develop to a conception of the pure and the beautiful things that exist on every side of us, if we could only see them, we shall then achieve an ethereal happiness on earth inferior only to the joys of heaven. It is sometimes comforting to believe in things that we do not understand.

The space at the intersection of the arms of the cross, beneath the dome of the building, is occupied by what the people term courts of justice. These surround the throne of the King, and it materially expedites his governmental affairs to have the courts so located, for any failure in this branch of government to carry out his plans, would be a serious obstacle to their final success. In and about the courts, large numbers of talented young men are trained under the watchful eyes of the King's courtiers in the proper interpretation and application of the edicts that have been promulgated by the King and formulated under his direction by the lawmakers. These apprentices in the art of making laws, after a proper service in the courts, and after there giving some proof that they comprehend the principles upon which the King's government is based, are usually transferred to the eastern hall and delegated to lead in the work of framing new edicts for the guidance of the people. When they have shown that in both capacities they are faithful to the interests of Mammon, they are returned to the central court and placed upon the judicial bench for life.

The throne of Mammon rises high in the center of this inner hall. At a little distance it seems built solidly of masonry and capable of withstanding the ravages of time, to an infinite degree ; but a closer investigation that has been made by a few curious observers, undismayed by the King's presence, proves that the material of which it is composed is nothing but books bound in sheepskin. Those at the base of the throne contain all the ancient edicts of the King's ancestors, and at the top some bright

new volumes fresh from the King's lawmakers record his own decrees. The books are cunningly laid and bound like bricks into a wall, and the throne is as strong and durable as it can be made of such perishable material ; but there is already a sign of decay at the bottom, and a mouldy smell now and then attracts the attention of those who are quick to note approaching decomposition. Every book that has gone into the structure of the King's throne has been indelibly stamped on its outer surface with the words, *Private rights are a perpetuity*, the regular repetition of these words giving the work the appearance of ornamentation. At the back of the throne, above the King's head, the same inscription is embroidered in large letters with red tape, and is surmounted by the King's arms, wrought in sealing wax, and representing a hand grasping a model of the earth, under which the word *Forever* is inscribed. The King's crown is a band of parchment, soiled with the lapse of time, but studded with priceless jewels that are now almost separated from the frail material which holds them in place. Across the front are wrought in diamonds the two words : *Esto perpetua*.

Thus according to this secret information, King Mammon's court is established, and the courtiers who swarm within its walls vociferously deny that he is a tyrant. *They* have not felt his displeasure. *They* have never suffered from his decrees. None of the terrors and torments of his reign have hitherto fallen upon *their* existence. And so are these courtiers satisfied with the King's reign and loudly praise his name. My lord of England, sailing idly in his yacht through Sicilian waters or dallying with the fish and game on his British estates, or perhaps inspecting his newly-acquired and extensive tracts of land in far away America, does not believe that Mammon is a despot. Neither does his wealthy and honored French neighbor, with whom he used to quarrel ; for both were born princes of the realm of Mammon, and are still high in favor. Neither do the young American cousins of these nobles—the Princes of Real Estate, the Dukes of

Transportation, the Earls of Manufacture, the Barons of the Mines, and the Knights of Commerce—find aught to denounce in the decrees of Mammon. The courtier is ever subservient to the ruler while his favor is retained.

The King can rely upon the faithful allegiance of his courtiers ; but in recent years, among the lowly subjects of his realm, who have seldom appeared at court, and who have never felt the delusive happiness of his favor, there have arisen portentous mutterings of discontent, and the head of Mammon has lain uneasy, like other heads that wear the crown. He remembers that among the strange old traditions of his family there is narrated a tale of an ancestor whose throne in ancient Rome was beaten down and destroyed, and the records of whose reign were almost obliterated by a sea of fire and blood that swept over his dominions. Although but little given to studying the stale and worthless legends of the past, the King's courtiers also remind him that once again the throne of his ancestors was destroyed after it was reestablished, and the fierce Gallic blood effaced new records of kingly tyranny by the destructive methods of Robespierre and Danton. These tales of a past which has been little regarded for many years, and which is now almost forgotten by many who surround the court of Mammon, are whispered nervously by a few, and, like the story of the demons to the mind of childhood, the tales of Rome and France create a fear in the hearts of Mammon's courtiers, and they dread the threatened storm.

The plebeian subjects of King Mammon are in habits and appearance a motley throng. Diverse in language, in religion, in learning and intellect, in manners and customs, they are alike in the one thing only, that all must pay a tribute to the King and his court.

The labor and the lot of Mammon's serfs are various. Some produce with hand and some with brain ; some toil

faithfully and diligently at the task allotted to their lives, hoping some day to become courtiers ; while others, indifferent alike to the praise and blame of Mammon, refuse to do his will except under severe compulsion, but still the surplus production of all—the idle and the industrious, the vicious and the moral, the stupid and the intelligent—is, by a series of gradual transformations, eventually dumped together into the storehouses which the King has established and placed in charge of his favorites, the Lords of the Realm—the wealth-peerage of the world. Under some conditions and in certain parts of Mammon's dominions, where his power has not yet become fully established, a portion of the serfs may, by prudent self-denial and a proper subserviency to the King, approach the dignity of courtiers ; and these see before them, on the one hand, the power and honor that will be theirs if they can enter Mammon's court and secure the knightly distinction. On the other hand, by contrasting their own condition with that of other subjects who have not found favor with the King, and over whom his sway has become absolute, they realize the depths of tyranny into which they may be plunged should they be supplanted in his court, deprived of their knightly emblems, and cast down to labor again in the serfdom from which they rose, and thus be compelled to resume the struggle among toiling millions who never expect to see the court of Mammon, or reach the peerage save by some unforeseen occurrence or hazardous endeavor. These fortunate serfs, who have hoped for knighthood and the favor of the King, while blinding their eyes to his tyranny and closing their ears to the complaints of their unfortunate fellow-creatures who are at the King's mercy, are debating among themselves concerning the future, and considering whether they shall assist their discontented fellow-subjects in the revolt against the tyranny of Mammon's court, which may

be turned against them if they permit it to exist, or whether they will continue to seek the King's favor and harden their hearts to the wrongs and the suffering.

Very strangely, the revolt against Mammon has not arisen among those who suffer most severely from his tyranny. There is a paralysis of life, and hope, and resistance under the extremity of oppression and childish familiarity with wrong. Some recent troubles and incipient rebellion against the King in the domains of his Dukes of Transportation arose, not because those subjects had yet suffered the full extent of Mammon's power, but because they see the conditions to which others, less fortunate, have been subjected; they note the continued extension of the King's tyranny; and they have determined to contest the further establishment of his power. Now and then other factions of the serfs revolt; and the Barons of Coal and Iron have had their share of such conspiracies, although no general rebellion has occurred against the King. But the bitter murmurs become louder; the discontent is more boldly voiced; the King's courtiers are shown but a scanty reverence; and it is feared that the subjects of Mammon contemplate a violent resistance to the authority by which they have hitherto been controlled. Let us arm these discontented hosts with the weapons of truth and justice, intelligence and reason, in the new warfare against tyranny, for brute force alone never yet righted a single wrong.

CHAPTER II.

THE KING'S GRANARIES.

"The Burden-Sloane wedding to-day represented an outlay of somewhere near \$1,000,000. There were guests by the train load, and special trains at that. George Vanderbilt, the bride's bachelor uncle; Mr. and Mrs. F. W. Vanderbilt, Dr. Seward Webb, the whole Shepard contingent, the H. McK. Twomblys and William K. Vanderbilt were there. Leaving the Vanderbilt contingent and taking a look at the others, there were Mr. and Mrs. Orme Wilson, Mr. and Mrs. John Jacob Astor, Mr. Moses Taylor, a young fellow worth \$40,000,000 who is expected to marry into the Vanderbilt family one of these days; Robert Goelet (worth \$25,000,000), Ogden Goelet, chum of the Prince of Wales; Mr. and Mrs. Elbridge Gerry, Eugene Higgins; and many others.

"The bride's trousseau represents a small fortune, or somewhere about \$45,000. The wedding dress was made by Worth, or rather by his sons. It is of heavy satin, ivory colored, trimmed with point lace, thirteen inches wide, Bretonne pattern. The train is round and eleven feet long.

"Mrs. Sloane, the bride's mother and William H. Vanderbilt's daughter, is worth somewhere near \$20,000,000. The bride has two uncles who have somewhere near \$80,000,000 worth of this world's goods, and a half-dozen who have \$15,000,000 or so. The parents of the groom are both millionaires, and besides this his grandmother left him \$1,000,000 in his own right."—*San Francisco Bulletin*, June 6, 1895.

WEALTH centralization, unjustly controlled or entirely uncontrolled, is a danger which now threatens the government of nearly every civilized nation of the world, and which, in the minds of some thoughtful observers, even threatens to destroy civilization itself.

Even this extreme view of the danger embodied in the present condition of society is not an absurdity, when we reflect upon the evidences of ancient civilization existing in the ruins of the old world, and contemplate the barbarism of the Middle Ages which succeeded that early period of man's development. Whether the internal dissensions of a people can or cannot destroy the civilization they have developed by years of progress need not

be discussed at present, for it is enough to know that governments may be wrecked and warring factions substituted for a peaceful, industrial society when wrongs of property instead of rights of property are maintained in the laws enacted for or by the people.

Colossal fortunes have been accumulated in the United States during the past fifty years ; and as the country grows older, the centralized wealth and the power that invariably accompanies its possession, rivals the centralization of the old world, in some respects, and exceeds it in others. Mammon still retains Baron Rothschild as his prime minister, but the actual concentration of wealth into the large fortunes of the United States is greater than the wealth centralization of Europe, although the old world retains the largest fortune. An official of the United States Census Office after a careful compilation gives the following statistical result :

“ Twenty per cent. of the wealth of the United States is owned by three one-hundredths of one per cent. of the population ; seventy-one per cent. is owned by nine per cent. of the families, and twenty-nine per cent. of the wealth is all that falls to ninety-one per cent. of the population.”

Expressed in other terms, this statement means that if we suppose a population of 10,000 people, having a wealth of \$10,000 and an average wealth of one dollar each, under the conditions thus expressed, three citizens own \$2,000 and 9,997 citizens the remainder of \$8,000. That is, the wealthy, as thus classified, control an average individual wealth of $\$666\frac{2}{3}$, while the average possessions in the lower class is $82\frac{1}{4}$ cents. Consequently, according to the theories advanced by King Mammon's lectures, those of the upper class have, on an average, about 810 times the intelligence, the industry, the persist-

ence, and the self-denial that are possessed in the same average way by the plebeians. The estimate of the family wealth shows that, under a similar supposition, 900 families own \$7,100 and the others, comprising 9,100 families, own \$2,900. The average wealth of the aristocracy is about \$7.88 per family, and the average wealth of the plebeians is about 32 cents; consequently, according to the theories of wealth distribution commonly accepted, the members of the first class have about 25 times the amount of social merit, in a general way, that can be assigned to the second class.

Another statistician estimates that the average annual income of each of the richest one hundred Americans cannot be less than \$1,200,000, and probably exceeds \$1,500,000. Where such vast amounts of wealth and wealth-increase are embodied in single fortunes estimates made upon them are, like estimates of the wealth of society and the amount of coin in circulation, more or less uncertain but still approximately correct, at least sufficiently so to justify thoughtful consideration. Estimates and comparisons made by the newspapers of New York city indicate that in 1855 there were twenty-eight millionaires in that city, while by 1892 the number had increased to eleven hundred and three. A man possessing a fortune of one million of dollars is scarcely considered wealthy as fortunes are now estimated, and yet one million of dollars is really a vast power and product, and represents the result of an astonishing quantity of labor.

Has the reader ever considered what it means to be the possessor of wealth amounting to \$100,000,000? Let us translate the rows of ciphers with the insignificant little figure and the dollar sign at the left into something more intelligible. A laboring man in any country with \$5,000 worth of property to his credit free of incumbrance, is comfortably situated as the world wags to-day, yet twenty

thousand men—a small army—each possessing this amount, have together no greater wealth than one man with one hundred millions. Fifty thousand men with \$2,000 each have the same aggregate amount. If the owner of \$100,000,000 should be compelled to produce his fortune by labor at the average rate of \$10 in every twenty-four hours, he would only have \$365,000 at the end of a century, and he would have to live about 27,400 years before he could thus accumulate his wealth, although average humanity would consider \$10 per day very satisfactory as an income. If the owner of such a fortune should buy land with it at the average price of \$20 per acre, he would then control a tract as large as the State of New Jersey. If he bought suits of clothes at \$10 each, they would clothe nearly one-sixth of the population of the United States, or keep one man in clothes at the rate of \$100 per year for the next ten thousand centuries. If he bought flour at \$4 per barrel he would have enough to meet the annual consumption of one-third of the people in the United States, or to feed one man for 25,000,000 years. If the wealth were transformed into silver dollars and stacked in a single pile it would reach outward from the surface of the earth more than 175 miles—far beyond the supposed limits of the atmosphere. Tipped over upon the earth, the stack of silver would reach across the State of California. Given two horses, a wagon and his own two hands, the owner would require years to collect his silver dollars as they lay in line along the earth and to merely gather them into a central heap.

And yet there are men who see no wrong and no danger in the present methods of controlling and continuing such fortunes! If such be the nature and extent of a fortune of one hundred millions of dollars, what shall we say of the fortunes of two hundred or two hundred and fifty

millions that are likely to represent the wealth of the largest accumulations of this century? Such power is not merely the absolute control of a fortune, it is the dictatorship of an empire.

Tabulated results by competent and disinterested statisticians, writing only for reference, show that in 1890 the wealth of the United States was estimated at \$66,000,000,000. Its population at that time being 63,000,000, the average wealth of each person was \$1,047.62. There are now at least 1,600 persons who are each worth \$5,000,000 or more. Careful estimates indicate that in this country there are not less than 30,000 persons each of whom possesses property valued at more than \$500,000, and all of whom possess an aggregate wealth of \$36,250,000,000, leaving to all the other inhabitants of the country an aggregate wealth of \$26,750,000,000. That is, 30,000 people in the United States own considerably more than half its wealth and, on an average, one person in every two thousand persons owns more wealth than all the others together.

Figures are dry; it is not necessary to pursue them further to comprehend in a general way the fearful inequalities of wealth distribution that have arisen in the Republic, even at this early stage of its progress. The belligerently conservative reader who believes firmly in the perfection of established institutions, will now begin to inquire: "Well, what do you propose to do about it? Do you expect to rob these people of great wealth and give it to the idle and vicious, who do not succeed in the world because they make no effort?"

In this chapter nothing will be proposed; but an effort will be made to indicate that wealth centralization exists to a dangerous degree and that, if unchecked, the condition will almost inevitably destroy the present government of the United States. It may be shown that such

disproportionate centralization of wealth is unjust and unnecessary, and whatever shall be proposed will, it is hoped, be founded upon justice and equal rights, as all genuine reforms must be, and will rob no man of one dollar nor deprive him of a single moral right or privilege to which he is justly entitled.

Let us proceed with our inquiry into the actual distribution of those comforts that are generally believed to make life worth living. We need only to use our eyes. On the streets of any large city we can see the magnificent palaces of the rich, each of which has cost enough to give a year of comparative rest and comfort to a thousand poor men's homes, in which the bread for the morrow is earned by the toil of to-day. Sometimes the marble palace is occupied by gay revelers "who toil not, neither do they spin," and yet are decked in silks and satins, laces and diamonds, the value of which would be fortunes to the workers crowded closely together in the grimy tenements owned by the occupants of the palace, but located at a distance from their luxurious habitation, and in a quarter where the necessities of a badly balanced social existence crowd human beings together like sardines in their little tin case. The wines and the flowers on a single table in the palace often cost more than a hundred industrious and frugal laborers are able to accumulate in a year's application to their labor service. Sometimes the palace is closed and silent, unoccupied and useless except as the home of a few servants left in charge, while the socially worthless existence of its owners is droned out at a summer resort or in travel. Such are the idle rich, harmless, thoughtless, save in following the daily round of folly that has become to them a life-work; free from responsibility, knowing little of their fellow-creatures or of human existence outside the circle of what they term society, and serving no useful purpose whatever in the economy of

either man or nature. Their religion is the doctrine of the "four hundred," and their prophets are Ward McAllisters. Their subsistence and their luxury have been granted to them as a perpetuity by the millions of busy workers surrounding them.

In another quarter of the city amidst the banks and great business establishments we find the predatory rich. Sometimes their occupation is a business that is to be transformed into a monopoly as soon as possible by driving weaker competitors to the wall; sometimes it is a mere juggling with millions, after the fashion of a faro bank, in which one may lose and the other win, or a thousand deluded victims be fleeced, but in which the world is not really made one whit better, or wiser, or even wealthier. It is a greedy struggle for wealth among the greatest gamblers the world has ever seen, and as much worse than ordinary gambling as the stakes are larger. Great energy, immense mental resources, and talents fit to command the armies of Bonaparte are often found among these pirates of finance, and it is pitiable to see such wealth of brain and will power so absolutely wasted. If the "bulls and the bears" of our great cities could destroy one another in their wealth struggles, society would be the gainer.

The folly of society is that it regards all rich men either with veneration, or with detestation, or with absolute indifference in a moral sense, according to the prejudices or associations of the individual observer. Distinctions must be drawn. The rich man who has developed his wealth by improving production, or in any way making two blades of grass grow in place of one, is a benefactor of the human race, no matter how great his wealth. On the other hand, the idle, luxurious profligates, who control what they have never earned, and the ravenous beasts of prey who afflict society in speculative life, and

rob their fellow-creatures by gambling operations deliberately planned, whatsoever the name, are worse in their evil and dangerous effects upon our country than all its criminals and paupers. Let it not be forgotten that society is benefited by every producer, either by hand or brain, and injured by every idler that it supports, and by every man whose energies are devoted to preying upon his associates without developing something that will support mental or physical life. The rich idler and the greedy speculator are more detestable in an honest view of society than the voluntary pauper and the criminal; for society supports all of them, and can compel from poverty and vice in its jails and asylums a slight return from useful effort, while the idle and the predatory rich are fed and clothed luxuriously with absolutely no return.

No man has an honest claim upon existence if he will not work when he has the ability and the opportunity. When this doctrine of human duty is applied as rigorously to the rich as it has been to the poor, society will have made progress towards justice.

As to contrasted conditions, the story is an old one. Before Christ came upon earth, Plato wrote: "Any ordinary city, however small, is in fact two cities, one the city of the poor, the other the city of the rich, at war with one another." In every modern city men still can be found who own block after block of buildings on land that is often more valuable than the stately structures reared above it, and of greater worth than if it contained the richest gold mine. The possessors of this wealth control it absolutely, but in many instances they have never, by either mental or physical effort, produced one jot or tittle of the property which society concedes to them. In the same city we shall find men of greater intelligence, energy, and industry, and equally meritorious in other respects, who are apparently in every way more deserv-

ing of reward than their wealthy neighbors, and yet who suffer the ills of poverty, or at least enjoy a condition far below that of wealth. "Chance!" the reader will exclaim. We shall see later on whether the doctrine of chance will apply; at present we are dealing with conditions.

It is common observation that one man has wealth enough for thousands, and another but a precarious existence. In the United States, owing to the comparatively brief period during which the country has been populated by the whites, the extremes of social condition are not so noticeable as they have become in Europe, where time has emphasized class distinctions. Under the Stars and Stripes the rich are, indeed, *very* rich, but, except in the great cities, the poor of the United States are not such rats of poverty as infest the old world. The typical European laborer plods at his task so long as God gives him sunlight, and his family work with him or at separate tasks as necessity demands. The only exception to this labor-rule of life is the inability of extreme youth or age. The united efforts of the family provide only the necessities of life and none of its comforts, nor any surplus with which to provide for the infirmities of old age. Like the plough horse of a cruel master, the laborer must toil till he breaks down with the weight of advancing years, and then public charity will provide a bare maintenance; for, although we are still barbarians in many respects, we are at least civilized to the extent that we do not condemn our worn-out slaves to immediate death when age or infirmities put an end to their usefulness. Poor men are in that respect treated better than horses.

Those European laborers who have been so fortunate as to escape to America from these conditions have hitherto found a place where there was an opportunity to live, and move, and breathe, without paying tribute to

the established owners of earth for an opportunity to produce wealth, because on every hand, and especially in the unsettled western portions of the country, there existed a vast domain of public land, which has been to some extent a check upon the exactions of earth monopolists and a relief from the crowding of population. Natural opportunities were thus afforded to the man without means or resources save his own two hands, and a safety-valve provided for popular discontent. The settlement of this country has now been pushed to the Pacific Ocean, however, and all the valuable lands, with but few exceptions, have gone under private ownership. Much of the land is not used, being held for speculative purposes ; but, so far as the moneyless citizen is concerned, it affords no opportunity, for he must usually give up in interest or rent all the surplus of his production beyond what is necessary for his own sustenance.

The lot of the laboring farmer and laboring employé in the United States is still happy and prosperous compared with that of the same classes in Europe, but the truth is becoming every day more evident that social conditions in this country are fast approaching those of Europe. We already have the great fortunes and the tyranny inseparable from great wealth on the one hand, with the idleness, luxury, and aristocratic tendencies which are the natural sequence of the continued control of great wealth. On the other hand, we have the grinding poverty of the slums and-sweat-shops in the great cities, and the danger that when our population increases and monopoly becomes extended, when opportunities for independent effort become lessened and the power of the wealthy classes more firmly established, the United States will be the same discouraging, God-forsaken home for a poor man that is now offered in the older countries whence poor men migrate.

Once let the condition of a non-producing, luxurious aristocracy become engrafted firmly upon this country by the lapse of time and the neglect or ignorance of the people, without intelligent legislation to check its power, and the condition of those who produce the food and shelter of the nation, and the luxuries for the idlers, will gradually sink to the dead level of the unambitious labor-life that now exists in Europe.

When the tendency toward aristocracy that now exists in the United States reaches its final development, one class of people will inherit wealth and power for generation after generation, in the same families ; and another class will inherit poverty and hard work, under the direction of those above them in social rank and privilege, with fewer and fewer chances of rising above their original position, and of transforming their social condition, as the country becomes older, population denser, and society grouped into rank and class by the progress of successive generations.

Under the present progress, the transmission of centralized wealth is developing a large class of luxurious idlers in the United States, the wealth aristocracy of the republic, who inherit privilege as their humbler associates inherit poverty. In the natural development of the present social condition, undisturbed by changes in the principles upon which it is based, the child of a man who has been a laborer for wages all his life will also be a laborer in the same way ; his children will be laborers for wages ; and not one of them will have a fair prospect in life for advancement commensurate with effort, nor real opportunities other than those of continual work under another man's inherited power and privilege, with inadequate leisure for self-improvement, with little ambition for energetic effort, with no real expectation of rising above his half-servile condition, and with nothing but

the empty name of a freeman to distinguish him from the slaves of fifty years ago.

This servile condition, except where it has been alleviated by the struggles that have already been made by organized labor against the tendency toward wealth domination, and by the invention of machinery, has been the history of European nations, and it will be the inevitable result in our own country unless its causes are understood and removed.

There is no virtue in republican institutions that will protect us from such a condition, for the power of wealth exists independently of the form of government. Titles are not a necessity to aristocrats. England may abolish her House of Lords and may even remove the titles of nobility ; but if the wealth now controlled by that nobility or by the later commercial peerage is untouched, the power will remain and the Lords can laugh at the Commons. If an individual controls two hundred million dollars' worth of property, it makes little difference, as a social result, whether we address him as Mr. Astor or your Grace, and whether he resides in New York city or in London.

Wealth transmitted from generation to generation develops aristocracy ; and mere titles and forms of government have but little to do with it.

America will have an aristocracy unless its progress be restrained, as surely as acorns produce oaks, and that aristocracy will control its government just as the power of wealth has always done where it has been permitted to concentrate. We cannot fossilize wealth and poverty side by side and maintain our government as a genuine democracy free from class privileges. If our people were ignorant, it might be done for a time, and they would believe that wealth has a divine right to reign, as their ancestors believed that kings had to rule ;

but the common schools have made the laborer a giant, and the greatest danger now is that he will use his strength too recklessly and, like the blind Samson, pull the social structure down upon himself.

It is evident from the perturbed condition of the laboring classes in every civilized country, that the greater intelligence and wider information spread among them in late years, by the increased dissemination of newspapers, magazines, and cheap publications in book form, are having their natural effect in stimulating inquiry into the rights and wrongs of society. Men no longer accept as self-evident justice the fact that they are poor and other men rich, simply because they find the wealth so distributed. Men no longer believe that an all-wise and all-beneficent Creator constructed the social and political institutions of this world exactly as they found those conditions to exist when they were placed on earth. Men do not entirely accept the idea that some are born to rule by wealth, any more than they now accept the other doctrine of tyranny, that the king reigns by divine right. A dim suspicion is forcing its way through the minds of plodding humanity, that a wrong exists when a thousand children are born, perhaps within a day's time, one to be reared in luxury, and to become the sole possessor, without an effort, of one hundred millions of dollars, while the others, by the accident of birth under unjust social conditions, are condemned to a life of labor under the wealth power of their fortunate contemporary.

Hitherto men have believed, because they have been taught, that all poverty is the result of a lack of thrift, of energy, of brains, of endurance, or, at least, of good fortune; that all wealth is the just reward of diligence, prudence, sagacity, and self-denial. Now these men begin to comprehend that thousands obtain great wealth without ever having possessed or exhibited the virtues that are sup-

posed to produce it, and that millions of men, able and willing to work, are brought to the verge of starvation, not by their own neglect, but for lack of opportunities to honestly maintain their own existence by their own labor.

The doctrine that wealth distribution is due entirely to natural causes inherent in the varying natures of men, is now frequently repudiated. Few men, perhaps, have analyzed social conditions with care enough to determine the exact nature of the wrong, or to say exactly how and why social institutions are unjust, but when they feel the terrible effects and the heavy burdens embodied in the industrial depression, they know that injustice exists, and they denounce the condition, although they may not understand its cause.

The great danger to society in the twentieth century will be unintelligent resentment against wrongs that are not understood. When men try to correct social evils, without clearly understanding the nature of their rights and without observing the limits of justice, the result is civil war, succeeded by a new condition of society no better than the first, because men quarrel over evil effects, without removing the evil causes. The fearful outbreak of a tyrannized populace in the French Revolution is an example of the revolt of men made desperate by an unjust social condition, but without conception of its real causes. The result of that eruption, in which God was denied and reason enthroned, in name only, was merely the blood-thirsty destruction of lives and the waste of wealth, followed by the reestablishment of the essential causes which produced the revolution, and which may again bring a rapid visitation of popular wrath upon France under the republic, as they did under the monarchy. The French Revolution was a war upon effects only.

The great railroad strike of 1894 in the United States, in which thousands of men violated law and order by

forcibly occupying railroad property and obstructing the progress of trains, and during which millions of people sympathized with the objects of the strike in its incipience, and until it began to degenerate into murder and the reckless destruction of property, is another instance of the prevailing custom of trying to remove wrongs by fighting their effects instead of removing their causes.

It is important that social problems shall be freely discussed and carefully considered, for that strike and the great sympathy extended to the strikers by the people, are premonitory symptoms of revolution. The coming revolution may be by ballots or by bullets, but in one form or the other it will certainly be effected, and upon the intelligence and education of the people in these social questions, will depend its character. There exists among the people of this country a bitter discontent with political and social institutions, and there can be but one of two results—reform by ballot or attempted reformation by blood.

England is in even a more unsettled social condition, and the people are inquiring why they toil that idle aristocracy and wealth-profligacy shall exist. There is a growing disposition to revolt against the power and privileges of the wealth-aristocracy and land monopolists of the British Isles, and the social crisis may occur there before it does in America.

During the industrial depression beginning in 1893, social revolution probably approached nearer in the United States than many supposed, for in such periods a spark of wrong can be easily fanned into a flame of resentment ; but with the return of activity in business and opportunities for employment, the bitterest discontent will be temporarily allayed, and the crisis postponed. That crisis—when men will demand what they believe to be justice, peaceably, if they can, forcibly, if they must—can only

be delayed ; for we shall have other periods of depression in business and destruction of opportunities in labor that will turn men into famished wolves ready to devour and destroy.

If the people will carefully and intelligently consider the nature of the conditions by which they are surrounded and will be guided by the dictates of reason in the pursuit of justice, the present movement will result in the grandest triumph for liberty and equal rights the world has ever known ; but if, on the other hand, they permit their actions to be controlled by ignorance, envy and hatred towards those who have become the custodians of wealth and the manipulators of wealth-power ; if they seek merely to destroy and not to reform ; if they deal not justice to the millionaire as well as to the pauper, no attempt at social transformation can result in anything but social disorder and possibly the horrors of civil war. Social revolution may advance civilization or it may retard it. If there be genuine progress, intelligence must reign.

Let the discontented subjects of King Mammon inquire not what they have the power to do, but what they have the right to do, if they would secure justice and equal privileges. Unintelligent and unfair action will lead them into the quicksands of anarchy.

CHAPTER III.

SOME RIGHTS AND WRONGS.

"Citizens, you are brothers, yet God has framed you differently. Some of you have the power of command, and these he has composed of gold, wherefore also they have the greatest honor; others of silver, to be auxiliaries; others again, who are to be husbandmen and craftsmen, he has made of brass and iron; and the species will often be preserved in the children. But as you are of the same original family, a golden parent will sometimes have a silver son, and a silver parent a golden son. And God proclaims to the rulers as a first principle that if the son of a golden or silver parent has an admixture of brass and iron, then Nature orders a transposition of ranks."—PLATO.

No belief is herein expressed in either the justice, or the benefits, or the possibility of an absolutely equal distribution of wealth. The social problems are, as treated in this volume, how to give men equal opportunities, or at least some approach to equal opportunities; how to prevent wealth-tyranny, just as we would try to prevent all other forms of tyranny; how to break up the luxurious idleness and the predatory viciousness of certain rich men; and how to lessen the ignorance, and vice, and destitution of the lower levels, and to remove at least a portion of the enforced idleness of men who want work and cannot find the opportunity of working. In a word, both ends of the social scale must be attacked and injustice destroyed wherever we can find it. Society, in self-protection, must give the rich idler a chance to work, and give the man who has been carrying his blankets in search of labor a fair opportunity of doing likewise. If society neglects this plain duty, nature compels us—you and me and all others who are so fortunate as to possess fair opportunities—to support not only the poor fellows

who want work and cannot find it, but the rich fellows who are cursed with so much money that they either dawdle out their lives in useless vanities or else domineer as tyrants over their associates. The workers must support the workless, and there is no escape from this necessity.

Thousands of men do not believe there is any injustice in the extremes of wealth and poverty. To these people, wealth, no matter how great, is the just and appropriate reward of effort and good-fortune ; poverty, no matter how squalid, nor what its nature, is the equally just penalty for the neglect of opportunities or the absence of good-fortune. Such people recognize no effect of human laws in producing the rich and the poor, but place all the responsibility on nature ; or, if they be inclined toward religion, they devoutly attach the responsibility to the fiats of Almighty God and piously consider that His purposes are too deep and inscrutable for their comprehension. According to the ideas of such thinkers, "When some men become rich and others remain poor, it is because they are differently constituted, or because they have different luck, and there is no governmental injustice whatever involved in such conditions."

This doctrine of wealth and poverty is very commonly accepted, and assertions like that quoted are invariably followed by the declaration that, "if all the wealth were equally divided in any nation or in the world, within a single hour after the division it would commence to concentrate, on account of the natural differences in humanity. Some men would save and accumulate ; others would waste and suffer." Like all other deceptive fallacies, this theory of wealth-distribution is partly true. When applied to the life of an individual, comprising an average period of about thirty-five years, it is nearly correct. We all know that when men are given the same

opportunities, some will gather wealth and others suffer poverty, because of innate differences over which society has no control. But when the same theory is applied to the life of a nation instead of the life of an individual, and is made to account for the wealth possession that has existed in a period of from one hundred to one thousand years, it becomes one of the most cruel falsehoods that ever cursed humanity and defeated justice.

Right here, then, the man who believes that the laws of nature and not the laws of man control wealth centralization as it now exists, should note that his conclusions are approved so far as a single generation of humanity is concerned ; but that they are denied if it be meant that natural laws alone produce the social conditions which have arisen under the succession of many generations and developed into the wealth distribution that now exists all over the civilized world.

The truth of this statement may be proved later on ; it is necessary at present to investigate some of the wrongs and dangers of our social condition.

Another class of men who have devoted casual thought to social progress admit that there is something wrong in wealth possession and control, but they believe that nothing can be done to equalize or tend to equalize the distribution. "We always have had, and we always shall have the rich and the poor," say these people, "and it is useless to struggle against nature." There is some truth in this belief, but it is not all truth. So long as humanity struggles for existence by individual effort and competition, there must always be great difference in the wealth of men, and justly so ; but it does not follow from this truth that, even under the competitive system, by which all our social progress is accomplished, there should be such tremendous inequalities of wealth distribution as now exist. *Some inequality of wealth as*

the reward of effort justly results from the varying efforts and ability of different men ; but *all* inequality does not result in that way, and the really baneful effects of wealth control are due to an entirely different cause, which is solely the result of defective human institutions, and which can be rectified by changes in our laws. The great danger and the essential wrong of wealth centralization lies in the fact that a social condition based upon its existence builds up a tyranny over the people and deprives them of liberty and equal rights, just as surely as the government of any Czar or Sultan. Great power inevitably goes with great wealth, and it is quite as dangerous to the liberties of the people who entrust wealth power absolutely in the hands of a few for any great length of time, as it would be to place the actual edicts of government under the absolute control of the same number of men for an indefinite period. Some wealthy men are actuated by a higher sense of justice than the average of humanity, just as some absolute rulers have been characterized by justice and benevolence ; but whenever wealth concentrates the power exists, and when a bad man happens to hold the power by owning the wealth, he becomes a tyrant. It is no more safe for the people of the United States to permit the continued existence of fortunes of from fifty to two hundred millions of dollars than it would be for them to establish a body of dictators to formulate our national legislation at their own pleasure, for in either event the people will eventually rise in rebellion against the tyranny and iniquity of the condition. The state legislatures of the Union and our congressional halls are now surrounded at every session by the emissaries of wealthy men and wealthy syndicates, who are employed to secure legislation beneficial to class interests, or to defeat other legislation that is inimical to some millionaire's schemes.

The government of our great cities is a mass of corrupt influences wielded by the few who control their wealth, and the municipal officials are frequently puppets under the control of unseen masters whose golden threads move mayor and councilmen to the right or left, according to the plans by which the Mammon princes expect to subdue the people.

Bribery by payment of money, bribery by the exchange of votes for different kinds of class legislation, under the technical name of "log-rolling," and bribery by the tender of official position control our legislation in what we call Free America.

For incidents substantiating the corrupt influence of money in legislation we have only to scrutinize the daily papers and associate with "practical politicians," who have entered politics for money just as they would enter any other business. The people understand these unfortunate conditions, and their comprehension of the evil is what causes the despairing cry: "What is the use of voting?" The session of congress during the summer of 1894 revealed a condition that is truly startling. When concentrated wealth in the form of great trusts appears in the halls of national legislation to demand tribute of the people, is it not time to protest?

There is an argument, popular with thoughtless people, that honest men should be elected to office, and that when such men are selected, all will be well.

The dangerous condition of legislative methods does not result from exceptional personal dishonesty. All legislative bodies are merely samples of the people who elect them, and they are not usually any less scrupulous or any more dishonest than their constituents. Such assemblages always have contained and possibly always will contain some honest and some dishonest men, but the average of humanity and the average of legislative

bodies are quite as honest now and probably more so than at any time in the past. So far as this country is concerned, the excessive corruption of the present day is due to the phenomenal increase and concentration of wealth during the past fifty years, and the passive condition of the people who have allowed themselves to be enchained by a tyranny that is new in this country, though old in the world. Our legislative bodies are to-day surrounded by a multitude of pecuniary temptations that scarcely existed during the early days of the republic. Subjected to the same influences, the legislators of the past would have been quite as corrupt as our own thieves, and, no doubt, grosser villains ; but there was then not so much available lucre in the hands of a few personages with which to control them. Great fortunes and wealthy combinations appear on every hand now, where they scarcely existed when the first congress assembled. The "sack" is now opened wherever public action occurs in a way to materially affect moneyed interests, and the rights of the people are thus sacrificed, not because humanity in general, or even the legislators, have become more dishonest than they used to be, but because the insidious power of the wealth-tyrant that this country has permitted to grow into a vigorous existence, is now beginning to stifle the liberties of the people. The Czar and the Sultan issue direct edicts to enforce their tyranny ; wealth simply buys what it wants, and the result to the people is the same.

The great trust or syndicate is a modern evolution of wealth power that now excites the strongest resentment among the people. It is a Frankenstein's demon, which they have created themselves, but which now threatens to destroy them. When the first corporations were established and when men laughed at the idea of successful association in that way, the trust could not be foreseen in

the dim future. So, in the light of the present, it is difficult to penetrate the mists ahead of us and determine what will be the evolution of the trust.

Individuals have made corporations ; corporations have become trusts ; what will trusts become ?¹ That problem will not be discussed here. It is evident, however, that the trust is not the primary evil from which the people may expect the danger of the future. If the people throttle the trusts and destroy them, they have merely destroyed one manifestation of wealth power without freeing themselves from the power itself. It makes little difference to a people desiring freedom, whether their legislation be purchased by one man or a combination of men, so long as the concentrated wealth under the control of one or a few exists to purchase it.

The tyranny of trusts is only one effect of the many bad conditions that arise out of immense wealth under the unrestricted control of a few persons ; and it is only one means of enforcing the unjust and unnatural power that its possession confers upon them. We may destroy every trust that now exists, and a new development of wealth power will arise to torment and oppress the people. If a tree bears bad fruit, cut it down ; but do not imagine that real relief from such trees can come from gathering the fruit every year when ripe, and burying it under a few inches of soil.

The power of wealth to control and limit the opportunities and acquirements of the people is the essence of ex-

¹ "Call the combination a partnership and it is all right ; call it a corporation and it is barely tolerated ; call it a trust and it is a crime ; yet the difference is only in manner. . . . Under George III., statutes were enacted in England making it a penal offense for any number of persons above five to associate either by covenant or partnership for dealing in bricks, coals and other commodities. This was due to the belief that combinations raised prices, repressed competition and monopolized business."—See "Ten Years of Standard Oil Trust" in *Forum*, vol. 13, page 303.

isting danger, and the almost absolute extinction of a poor man's natural rights the ultimate result of that power. The extent to which tyranny is inflicted at any given period of the world's history is never fully realized by the people then existing. Fifty years ago, when negroes were slaves, most people did not regard slavery as an insufferable wrong, but only as a "peculiar institution," and only the more intelligent of the negroes felt the iniquity of their own subjugation, except, perhaps, when they were flogged. Five hundred years ago, when all women were slaves, this particular form of the "peculiar institution" was not regarded, even by the women, as being very objectionable. Some men are tyrants and others are tyrannized in all ages of the world without either class understanding the position it occupies, simply because men do not usually think, and because in primitive existence tyranny seems right. If any man had lived from the dawn of civilization in this world till the present time, seeing the rise and fall of nations, the growth of arts, sciences, and intelligence, and the gradual struggle from darkness toward the light, he would comprehend something of the rights and wrongs of social existence without much further investigation and reflection. But instead of possessing this vast experience in the world's history man comes upon earth without knowledge of its previous condition; he is usually in possession of his faculties for a period much less than the allotted term of three score years and ten; he can obtain a knowledge of the world only from the dim records of history, from the things which he sees surrounding him, and from such reasoning powers as Nature may have bestowed upon him; he is often thoroughly absorbed by the cares of providing for his own subsistence and progression, or in protecting those naturally dependent upon him; and finally he dies, frequently without having devoted a serious

thought to the nature of his environment and the justice or injustice of the social conditions under which he exists. Millions of men have come into the world and gone out of it in this way, supposing that social institutions as they found them, no matter how defective at that period, were nearly if not quite the best that humanity would ever attain, accepting the world as they found it, and leaving it without ever having suspected that they either inflicted gross and brutal wrongs upon their associates, or suffered them at the hands of other men. Man is born with no knowledge of any other existence, and the tendency of his developing mind is to believe that social institutions are right because they exist and because he knows of nothing different. He is taught that society is justly organized, or he conceives without investigation that such is the case. Designing men who may have greater intelligence than he sometimes keep down inquiry by positively asserting that what injustice is palpably evident exists in the laws of nature and not in the laws of man. The temporary inhabitant of earth toils without thinking, accepts the conditions of earth as he finds them, and so passes out of existence, although enough of rebellion against iniquity and of pity for human sorrow is manifested, little by little, to make what we consider improvement in social conditions.

No man who is born to-day without having wealth bestowed upon him can possess a fair opportunity in life, obtain equal rights at his inception, or live under just conditions.

In this thought is embodied what apparently constitutes the great wrong in social conditions.

Let us make a comparison. Suppose that twenty-five men are shipwrecked upon an island far out in the Pacific Ocean. The sailors came there without their own consent by the compulsion of Nature or Providence, just as men

are born upon earth. The castaways proceed to appropriate the land and natural wealth of the island and establish regulations whereby each of the twenty-five controls absolutely some portion, and all united control the entire island and its products.

Shortly afterwards Nature or Providence again wrecks a ship and sends twenty-five more victims of the storms to seek existence on the same shores, stranding them as before without their own volition.

The newcomers expect a share in the benefits of the land they enter, but when they explore the island they ascertain that they have absolutely no privileges.

The land and its products have been appropriated by their predecessors, under a system which leaves no opportunities to other unfortunate sailors, and those who reached the island last become the slaves of those who preceded them, because they have no means of securing an independent existence.

That island is a symbol of earth to-day. The child of a poor man is a shipwrecked sailor stranded on the shore of life. In every civilized nation he finds the land appropriated, distributed, and controlled by his predecessors. He finds the products of the soil as moulded by the hand of man into buildings, machinery, tools, food, and clothing, or money as a representative of all, stored in abundance all around him, but tribute must be paid for a place in which to set the infant's cradle. The poor man's child must pay rent to the rich man's child for land to cultivate, and interest for tools to use, before he can have any opportunity for independent exertion; and before he can possess aught to pay with, he must work for those who have monopolized the earth, and must permit his wages to be fixed by the competition of millions of other men newly arrived by birth under the same conditions. Those who will sell their labor to the fortunate possessors of earth for

the least remuneration receive employment, and under these restrictions all can strive for what advancement they can secure, the condition being continually aggravated by the constant arrival of new men by birth, and ameliorated by the departure of those whom death calls away, and by the inventions and discoveries that increase the power of labor to produce life-sustenance.

"Nonsense!" my reader will probably exclaim; "these sons of poor men concerning whose condition you complain, eventually become heirs to the earth themselves, when their forefathers die, and thus leave it to the generation which succeeds them, so there is no injustice."

The poor man's child *never* becomes an heir to any part of earth, and his relation to society is essentially that of slavery from which, in a country having great resources and a comparatively sparse population, he may easily work out his freedom, but in which he usually remains in life servitude where the monopolization of opportunities for existence has become more extreme.

There is no monopoly so great, no trust so gigantic, no power so tyrannical as the social combination which exists in every country of the civilized world, and which says to every penniless little immigrant from the shores of that mysterious country whence all humanity comes: "You must toil as we direct, or you shall starve. Land you have none; wealth you have none; rights you have none. The earth with all there is upon it is absolutely our own, and unless you labor under the conditions that we may impose, you shall not exist."

CHAPTER IV.

DEVIL TAKE THE HINDMOST.

"Even the best of modern civilisations appears to me to exhibit a condition of mankind which neither embodies any worthy ideal nor even possesses the merit of stability. I do not hesitate to express the opinion that if there is no hope of a large improvement of the condition of the greater part of the human family; if it is true that the increase of knowledge, the winning of a greater domain over nature which is its consequence, and the wealth which follows upon that domain are to make no difference in the extent and the intensity of want with its concomitant physical and moral degradation among the masses of the people, I should hail the advent of some kindly comet which would sweep the whole affair away as a desirable consummation."—THOMAS H. HUXLEY.

THE ideas of competition and individual effort are at the basis of society in all parts of the civilized world in the nineteenth century. That is, although we have business partnerships under varying methods, designated as firms and corporations, and matrimonial partnerships, (in which business is very frequently the controlling motive,) and occasionally a movement among a few enthusiastic theorists to inaugurate social co-operation on a limited colonial scale, there exists no really great or general partnership amongst all the people of any nation, whereby they labor either equally or in proportion to the ability of each for the common good and share either equally or in proportion to their needs from a common fund of wealth. A savage tribe in which the individuals hunt their game and gather their fruits by general effort into a common stock, from which each afterwards draws his personal supplies, is a simple example of co-operation.

When each savage of the tribe hunts and fishes for himself, regardless of what the others secure, their social

existence is an example of competitive effort. Each system has advantages and disadvantages that may be briefly noted, although a comparison of the merits and demerits of communism and competition would alone require a volume larger than this book.

Co-operation is economical, for the units of that form of society do not purposely obstruct or interfere with one another's efforts, nor hinder progress that is sure to result in the general good. When our savages hunt co-operatively, they do not purposely frighten the game away from one another, but all assist harmoniously in capturing it. While, on the other hand, competition lacks this advantage, it is, nevertheless, a keen spur to effort and progress. When a man feels that his own unaided efforts must win his success and comforts, or protect him from want, he thinks and he works. He is carried forward by a fierce energy that could never stimulate him under co-operation, but he is continually set back in all his efforts by the adverse struggles of other men animated by the same fears and desires that urge him onward. Under competition the savage often frightens away the game he desires but cannot take himself, rather than see his opponent capture it. Men existing under a co-operative system would probably become less selfish but more indolent. Under competition, their characters have displayed energy, activity, shrewdness, selfishness, and greed.

Except in isolated and limited communities where enthusiasts have temporarily established co-operative colonies, all civilization has been accomplished under competition, either among individuals or among tribes ; and individual competition existing for generation after generation has undoubtedly had its effect in developing the shrewd, active, daring, and greedy natures that form such a preponderance of humanity.

Edward Bellamy, by glimpses of life in the Twentieth Century, revealed in "*Looking Backward*," presents an interesting view of national co-operation.

To some people this picture of co-operation is attractive ; others, preferring the boisterous struggle of individual effort and the excitement attending the prospect of great success accompanied by the dread alternative of dismal failure, are repelled ; still others believe in the benefits but not in the present practicability of co-operative society.

Extended discussion of nationalism is in the present, perhaps, comparatively useless, for the promised land is, probably, still far away from us, and we are actually living in the nineteenth century, with a dangerous social problem before us, which has been developed under competition and which must, apparently, be solved under the same system of human effort.

There can be no immediate change from competition to co-operation, for social evolution is never accomplished in that way.

Society is now progressing under competition, and it must so continue in the main for many years.

Having agreed to test the justice of such propositions as are advanced in this book by the competitive creed, the author will now inquire : What does every man regard as just conditions under competition ? The natural and usual answer, accepted by all who have sense enough and pluck enough to struggle, is expressed in the common saying : "A fair field and no favors."

Every man should have an equal opportunity.

Give no man any advantage.

If competition be a race, give every man, when possible, an equal start.

If life be a battle, see that every warrior is armed equally for the fray, and let the dazzling sun shine directly in the eyes of none.

Regard life just as you would view a tournament, and do not clap your hands for a victor who is armed and mounted, and who, therefore, vanquishes an opponent guarded only by nature's naked fists.

Every creature inspired with genuine manliness of the militant type is willing to say: "I will struggle for prosperity on the bosom of Mother Earth and accept my chances and my fate in competition with every other man in the race of life, if I have a fair start and an equal opportunity to secure my share of wealth and comforts of earth that should belong to us all.

"I want merely justice.

"If my competitor is better equipped by nature for the struggle than I am, or if he be more fortunate under fair opportunities, I regret my deficiency and my bad luck; but I must acknowledge that, under such circumstances, if injustice exists, it is in the laws of nature, whereby some men are made stronger and some better than others, and not in the laws of man. He who wins in a fair struggle of this kind is entitled to the rewards of victory."

The motto of men engaged in competition is: "Devil take the hindmost!" It is a sad condition for the weaklings and a cruelly wasteful condition for all.

It would seem that men are nearly good enough and wise enough to provide a better system of human effort and social order, but, nevertheless, competition remains. During the progress of any generation, the energetic, the far-seeing, the frugal, and the fortunate man accumulates a certain degree of wealth.

His idle, wasteful, improvident or unfortunate neighbor may or may not have enjoyed a more comfortable existence, but he lives from hand to mouth and dies without a penny.

Humanity recognizes this result under competition as being just and quotes the admonition: "He who doth not

sow, neither shall he reap." Men of phenomenal sagacity, whose entire life efforts are devoted to money-making, sometimes accumulate immense fortunes. Their methods are frequently rapacious and unscrupulous, if not positively dishonest; but, so long as their acts are not illegal, society consents and even applauds, for millions of poorer men would do the same things, if they could, to earn money, and society can never be any better or wiser than the units that compose it.

When, however, it is well understood that a man's actual production of wealth in an ordinary lifetime cannot amount to more than the value of a few thousands of dollars beyond what he consumes, as statistics based upon the surplus wealth of society will prove, and when it is quite positive that his actual wealth production cannot even remotely approach the vast fortunes of from twenty to sixty millions of dollars that have been frequently aggregated within recent years, the exact justice of this kind of success may be questioned.

Its justice will not be disputed here, however, for such phenomenally rapid wealth accumulation is due more to defective morality and to defective laws of other kinds than to the evil principles that have been selected for investigation.

We are now considering the opportunities in general that men have for success, and not the special energy, skill, or chicanery by which some succeed at the expense of others; so, for the present we will admit that society is right when it applauds the success of a man who has heaped up millions of dollars, evidently at the expense and loss of his associates.¹

¹ Ruskin's classification of the qualities that make and lose wealth is more comprehensive and less favorable to the usual argument indorsing our existing conditions. He says: "In a community regulated only by laws of demand and supply, and protected from open violence, the persons who become rich are, generally speaking, industrious, resolute,

We will consider that any man is entitled to all the success he can achieve, no matter how great, provided he does not actually violate our laws, and we will call that success competitive justice. Compared with a humbler struggle, this success is like that of a trotting horse which is in some mysterious manner transferred from the beginning to the end of a mile track in one second of time. Everybody familiar with horses and mile tracks knows that a trick has been perpetrated and that the horse never honestly won ; everybody conversant with men and money knows that millionaires like Jay Gould never justly and equitably acquired their fortunes ; but the defects that cause these evils are mainly in speculative human nature and not in laws under which other men had the same opportunity to accomplish what Gould did, if they had possessed the requisite shrewdness, so, for the sake of concentrating attention on the essential wrong that is now being attacked, the lesser wrongs of bad government based on weak humanity, which permits the existence of gigantic gambling operations under the name of speculation, will be ignored.

Let Jay Gould, then, as the type of many of his class, both dead and living, retain his wealth. Honestly or dishonestly, it was acquired under fair competition, for its possessor was poor when he began the struggle and a multi-millionaire when it terminated. If other men gambled with Gould and were beaten, they are mere whining novices to complain. If he swindled his associates, they

proud, covetous, prompt, methodical, sensible, unimaginative, insensitive and ignorant. The persons who remain poor are the entirely foolish, the entirely wise, the idle, the reckless, the humble, the thoughtful, the dull, the imaginative, the sensitive, the well-informed, the improvident, the irregularly and impulsively wicked, the clumsy knave, the open thief, and the entirely merciful, just and godly person." The author might well have added among the causes which produce riches, the one which made him wealthy, that is, the accidental possession of a rich father.

should have jailed him ; but if they neglected to enforce laws against crime, they have no right to complain because criminals become wealthy. Under competition some men will achieve success by exchanging property and overreaching their fellows, while others will lose in making the same efforts. The result is not injustice where men consent to such exchanges, as all do in life, and success is the survival of the fittest. Misery and suffering of all kinds result from the struggle, but that is on account of the system of life-effort under which we exist. It is because men fight instead of help one another. They hunt their game competitively instead of co-operatively. If all of us unite in accepting our motto of "Devil take the hindmost," nobody must object if that industrious personage reaches out occasionally to seize some unlucky straggler ; for it is the straggler's own fault or his own misfortune when he falls behind. Society at present will not complain seriously of a Jay Gould because he is in the front ranks of its financial army, for he worked his way to the front by his own persistent efforts, and had no better opportunities than other men at the beginning, nor desires more greedy than those of the average man. Equal wealth, or even approximately equal wealth, under life-competition is not possible, and it would not be just even if it were possible ; for men must and should receive rewards for great effort and great ability, and they are entitled to whatever good fortune falls to their lot. Inequality is the morality of competition.

Equality of wealth, however, and equality of opportunity in the struggle to secure wealth, are two different things. Equality of wealth is a bauble that men would fling away even if they possessed it. Equality of opportunity is a priceless treasure that men will fight and die for if they do not receive it freely. Under the competitive system, before any man can justly claim equal wealth,

he must prove, at least, that he makes equal effort with other men, even if we consider that justice requires us to leave out of consideration all natural difference of ability between contestants, and to accept the charitable theory that all men who make equal effort should receive equal reward, no matter what variations in productive power exist. It is obvious that men do not make equal efforts for pecuniary success in life, and, therefore, until a co-operative system can be evolved that will satisfy humanity and supersede competition, there can be no near approach to equality of wealth. Equality of opportunity, however, is merely an expression of fair conditions that ought to exist in every contest, no matter whether it be a game of marbles between schoolboys, a fight between pugilists, or the struggle of life under competition. The nature of social relations is embodied in the declaration that equal wealth is absolutely inconsistent with competition for wealth, but that competition for wealth is absolutely inconsistent with justice without equal opportunities. Let us see whether equal opportunities really exist.

Our typical Jay Gould has joined the great majority beyond the dark river, and his fortune remains on earth, bequeathed entirely, we will assume, to two sons, although his family was really larger. The effort and ability that were exerted in the accumulation of that fortune did not emanate from these young men, but did emanate from Jay Gould, who is now dead, who is affected in no way by the affairs of earth, and who, consequently, retains no earthly rights and no claims whatever to the direction or distribution of the fortune. When the young men received this wealth they became its possessors, but not its producers. They were not even accumulators. Beyond whatever assistance they may have given Jay Gould in acquiring it, they had absolutely no natural rights of possession, except the equal right of all associated with them

under the same government ; for a special right can be justly acquired only by production, or, at most, by accumulation through self-effort. At the same time these heirs were born, perhaps a thousand other infants saw the light for the first time within a limited territory surrounding these favorites of unjust law, and they inherit nothing but two hands each and the strength to use them. Under the theory of competition, all must seek their subsistence and produce wealth. Justice demands that they shall have "a fair field and no favors ;" but are such equitable conditions bestowed upon these competitors? With the millions of inherited wealth, which the two heirs have not produced any more than have the thousand youths who inherit nothing, the fortunate successors can buy millions of acres of the most productive land, in which every one of the thousand youths should have a natural inheritance, and thereafter the two may say : "We own the earth—at least a very large slice of it—and if you paupers wish to exist on it, pay us tribute." The tribute is paid in the form of rent, and the thousand men serve the two and maintain them in idleness and luxury, if that life be their choice.

The two heirs may buy bonds of the United States with the millions they gained without effort, and thereafter reap a princely income from the mere interest, while every one of the 65,000,000 of people in the country consents to place under the absolute control of two men a large body of wealth that should rightfully be the heritage of all. When these conditions are plainly before our eyes on every hand, can we truthfully say that our government is just, that it is based on equal rights, and that we are giving to all our people fair opportunities? I think not. It is always difficult to deal exact justice, but it seems, in the first place, that Jay Gould should have had no power to designate any heirs. It is enough to permit

individual control of so vast a fortune during one lifetime without extending the wealth-domination into another. In the second place, the total amount of specially inheritable wealth should be limited, either by a percentage of the fortune or by a fixed amount as a maximum, and within that limit the courts should have set over to each person who could show any real claims upon the estate as successor, an amount also limited by a maximum. Nearly all of the vast estate should have gone into the public treasuries as inheritance to all survivors to be apportioned by lessening taxation upon them, and thus serving as a reward and stimulus to genuine competition. Under such conditions, Jay Gould's sons, instead of becoming either money-tyrants or luxurious idlers, would be launched into life with a small but equitable financial assistance, and, therefore, they would become genuine instead of purely fictitious competitors, and carve their own way in the world or fail in the attempt, like other people, without the unfair assistance of another man's accumulation. If we are to compete in life, let us have fair competition.

No matter what form we suppose the wealth represented by fifty millions of dollars to take, let it be land, bonds, machinery, or railroads, it is always a tremendous power in the hands of the possessor. The fact that a man possessing very moderate wealth, provided he handles it judiciously, need never labor a day in his lifetime, is one of the most common evidences of its power. Giving a few heirs fifty millions of dollars and then putting them into competition with a thousand other human beings having nothing is like compelling the multitude to fight with naked fists against one another and against the favored few armed with Gatling guns. It is an unjust condition, because it compels unarmed men to struggle against others to whom society has given arms and armor

for the fray. If life is to be a battle, let us all enter the arena with advantages and opportunities as nearly equal as it is possible for human laws to make them.

It is not right, nor is it fair, to give to one man a Winchester rifle, to another a child's tin sword, as weapons, and then compel them to become gladiators in an unequal contest. It is not just, in the race for prosperity, to construct for one man a railway and give him a locomotive and a palace car, while his unfortunate fellow-creature is compelled to run barefooted over a rough roadway strewn with broken glass.

Yet these things are what society does whenever it permits unrestricted succession to wealth. The inequalities of nature are great enough, sad enough, bitter enough, to break the heart of despairing man without his bearing the additional injustice of artificial discrimination.

The continuance of inheritance under the present laws and the neglect of the disinherited classes, is not merely unjust as a matter of abstract investigation, but, like all other social injustice, it is a very great danger to existing governments on both sides of the Atlantic.

The United States during the last thirty years has been approaching with fearfully rapid progress the crisis that, sooner or later, invariably arises from the fossilization of wealth by succession. Several pustules indicate the development of a terrible disease. We have sweat-shops, Coxey armies, vast railroad strikes, curses upon Pullmans, and discontent everywhere. A millionaire has been charged with saying, "The public be damned!" In the heat of the railroad strike of July, 1894, thousands of laborers thought, if they did not say, "Damn the government!" The United States government is seriously, if absurdly, charged with using military power to aid wealth against labor. One ordinarily pacific newspaper, during the great strike of 1894, published the opinion

that the world would be better off if a bullet were sent through George M. Pullman's heart. A "pillar" in a western church remarked that if he could have his way he would blow open with dynamite every bank in the city where he lived and distribute the money among the poor. Such incidents are only straws, but thousands of them gathered here and there and everywhere among the surging mass of humanity that forms this great nation, show which way the tide is setting.

The laboring classes dread the establishment of a money-power such as already exists in Europe, where serfs and aristocrats are side by side, and they will fight the danger. The laborers and farmers are restless and irritable, and there is but little hope of avoiding trouble, except by social education and progress before it is too late.

Two of the worst tendencies of the present condition are, on the one hand, the debasement and corruption of poor men as citizens and voters, and, on the other, the development of aristocratic ideas among the wealthy. The poor man is gradually losing that brave spirit and independence that should characterize the citizen of a republic. He realizes that in wealth-power he is a mere cipher compared with his neighbor who is high in the councils of King Mammon. "Money rules," he says, and so he gives up the effort to direct legislation by voting. By and by, when his patriotic spirit is entirely gone, he will sell his vote for a few dollars, because he thinks it is a valueless commodity to him, and useless as a means to control or resist the power of wealth. This is the inevitable result of comparative poverty surrounding great wealth. Unless the lower classes are raised above debasing influences, their condition steadily becomes worse, till it is ripe for such horrible deeds as characterized the bloody French Revolution. At the other end of the social scale, aristocracy develops with the pride of

birth, social rank, and riches. The son who inherits great wealth and who receives it without the slightest personal effort is not to blame for imagining that he must be better than the common herd surrounding him. Is he not the pampered favorite of society? Do not all men decree by their laws that he may live in luxury without labor and that other men shall give him service and subsistence? The man who commands every luxury without effort, and who sees other men toiling patiently to secure what he can lavishly throw away, is either very wise or very foolish if he does not conclude from the evidences before him in the treatment which he receives from his associates, that he is something better than the common clay. Ordinary intellects under such circumstances become puffed with pride, and all the essential characteristics of an aristocratic class develop as soon as wealth is obtained without effort. The man who makes his own money and who rises from poverty to affluence, be it ever so great, never becomes an aristocrat, for he always retains a certain amount of sympathy, even if he be hard-hearted and grasping, for men who have to strive as he did in laying the foundations of his fortune. Aristocracy and the contempt of wealth for poverty develop only with inherited fortunes, and those feelings will die with inheritance, for the man who has had to accumulate his fortune by his own efforts will never sneer at another man who is compelled to do the same thing.

The daughters of wealthy Americans have been severely criticised in many shallow newspaper articles within the past ten years because they have married scions of the European aristocracy, and thus secured titles.

A more careful consideration of the subject would have proved to the writers that these young women, instead of merely making an effort to become aristocrats by pur-

chasing a title, as the editors apparently supposed, were really aristocrats in every sense of the word before they married noblemen, for the continued possession of wealth by inheritance in any family is the essence of aristocracy.

The daughters of our millionaires realize that all they lack as aristocrats is merely the outward distinction or empty title to set off their position from the lower social ranks, so they proceed to obtain the mere emblem of a title by marriage with some European pauper prince, who is in pursuit of an heiress because he knows that a title without a fortune to support it is a species of bogus aristocracy only comparable to the one-sided existence portrayed in the ancient doggerel, which asserts with mock modesty that a prince without a principality is

“ Like a fork without a knife,
Like a man without a wife,
Like a ship without a sail,
Or a shirt without—a proper length.”

The heiress knows that a title is all that is required to put her on a plane level with the European aristocrat, so she buys the appellation of “ My Lady ” in foreign lands, just as her father and brothers buy legislation and political distinction in the home market.

In American politics, both these bad tendencies, toward an aristocracy of wealth on the one hand, and toward a degraded, poverty-pinched existence on the other, are readily discernible, in spite of the evident and undisputed fact that our standard of living and our rate of wages have increased in the last fifty years. The poor man feels that he can do little in politics against money, so he loses interest. If a thievish proposition is made to appropriate public funds, he thinks that because he pays little or no taxes it cannot injure him as an individual, so he encourages governmental waste and corruption, regarding every

attack on the public treasuries, no matter how nefarious, as a method of putting money into circulation, and favoring it because some of the money may reach him by affording employment. In some of the states the prisons are not self-supporting because the laboring classes object to what they call the competition of prison labor, and, therefore, society supports the convicts in idleness, while they might be compelled to earn their own subsistence.

The laborers are right, however, so long as wealth is so unjustly distributed; but with a more equitable apportionment, instead of objecting to prison labor, they would feel that they themselves were supporting the convicts in idleness by taxation, instead of compelling somebody else in possession of the wealth to do so, as under existing conditions.

The prevalence of these ideas, so destructive to genuinely sound government, ought to be enough to convince any thinker that no republic can long endure that does not remove the cause of such unpatriotic and suicidal conclusions and efforts among the masses. The idea cannot be too positively enunciated that our government cannot continue as a democracy when our people become divided into permanent classes of the rich and the poor. While the patriotism of the laborer is thus being obliterated by the necessities of existence, a similar process destroys all love of country in the rich man's mind. The millionaire either enters politics predatorily to secure what legislation or personal distinction he desires, or else he ignores legislation when it is not directly to his interest to purchase it, feeling that his monopoly of wealth is so great that he can despise ordinary governmental changes. The gradually developed result is that the poverty-stricken wretches of the lowest grades sell their votes, and the rich buy legislation for their own class interests, till finally there comes a day when men revolt and grim war is

waged to readjust unnatural conditions and partially restore human rights.

The fact that in every election throughout the United States the employés of wealthy men and wealthy corporations are induced to vote as their employers may direct ; that votes are secured and controlled by thousands among the lower classes by the use of money, often being bought outright at a fixed price per vote ; that legislators are bribed by money and official advancement ; that courts are believed to be in many instances under the control and dictation of wealth ; and that, however wrongfully, thousands of voters believe that the financial legislation of Congress is dictated by wealthy men, shows how deeply the cancer is eating into our political institutions, and how it will ultimately destroy them unless its ravages are checked. Whenever the people of the United States believe that their influence as voters is no longer felt in legislation, and that one man with millions can control the votes of thousands who have no money, they will begin to meditate upon the power of numbers and brute strength, and whenever the bad conditions are thoroughly developed, they will proceed to shoot, or hang, or guillotine the man who possesses millions and appropriate his wealth to pay the cost of civil war.

The incipient stages of this condition can already be observed throughout the country, when men say, with a bitter contempt for the political institutions that once evoked so much pride, that it is useless to vote ; that no matter what party is in power, the money and the political bosses rule ; that honest legislation for the interests of the people in general cannot be obtained ; and that, if changes be made, a new set of plunderers will be more rapacious than the old set, for the latter have been partially satiated.

Of course these political evils, so far as they now exist, are exaggerated by the discontented citizens, and many

of them, by permitting purely imaginary evils to seem real to them, become what are known as "calamity howlers," who live, apparently, in chronic dread of immediate disaster, and who believe that nearly every man in public life is a thief.

Little sympathy need be expressed for this class of men, for they reflect upon social problems no more seriously than their careless, light-hearted associates, who never apprehend a danger till it is upon them.

Faith should exist in the vigorous intellect and progressive power that characterize the American people.

It is probable, even if our people neglect the problem of wealth-adjustment so long that civil war is inevitable, that they will, nevertheless, carry the banner of equal rights triumphantly through the struggle, as they did through the great rebellion, and maintain the great good that already exists in our political institutions, which, after all that can be said in denunciation, are, nevertheless, in advance of those still maintained by the rest of the world.

There is real danger ahead, however, for the young social giant of the western world, born amid the stormy times of 1776.

The wealth-child, tossed upon his shoulders in the happy pride of conscious strength, has become an Old Man of the Sea in his latter progress, while around his feet the slimy, threatening, poisonous reptiles of want and degradation threaten to overwhelm him should he sink beneath the increasing burden that he bears.

Do the people of the United States realize the dangers to our great republic that exist when want and misery see unmerited wealth and luxury easily within their grasp? Let our people hearken to the discontent.

CHAPTER V.

THE WORSHIP OF OUR ANCESTORS.

"Three deceased ancestors must be worshipped, three must be revered before the rest. These three ancestors of a man may claim the discharge of their twofold debt from the fourth in descent."—INSTITUTES OF NARADA.

NOTHING but the realization of what are now merely the socialistic dreams of idealists can ever accomplish absolute equality of wealth in society, and nothing is further from the intention of the writer than the idea of urging plans that would only seem visionary and impractical to the great body of our population. No matter how ideally perfect the social creations of Edward Bellamy and kindred souls, existing since the days when Utopia was revealed to and ridiculed by slowly progressing humanity, may appear to certain minds impressed by the vast economy of co-operation, the actual realization of those ideals lies far in the future—how far, we can only guess. The progress of civilization apparently tends in that direction, but in all social evolution there is a slow and painful advance, step by step, sometimes backward, but eventually in the direction toward which the forces developed by nature tend to drive men. These forces now appear ready to impel the human race out of the fiercest warfare of competition into the more peaceful methods of co-operation, but between the two conditions lies an unknown waste of dangerous pitfalls and obstructions that humanity at its first attempt may not surmount. If society ever reaches the other side, it will be by the careful avoidance of those pitfalls, one by one, and by the attack of each obstacle singly. There will be no marvelous transition

to a promised land, and if we ever accomplish general co-operation it will be by the slow, successive stages by which all social development is effected. With the advocacy of theories of social co-operation, therefore, this consideration of social growth will have nothing to do at present. We need some modification in our laws that will serve as a link in the chain of evolution by which the human race is to ascend to higher levels—something that appeals to practical men—something that is feasible to-day. In suggesting modifications in our laws as remedies for social evils, the test of justice will be invited, and it will be demanded also, that justice shall be the test of social institutions as they now exist. Mere imaginary expediency can never be a safe guide in formulating laws, for the history of the human race shows that a general conception of justice is the only permanent basis for maintaining an agreement between men. Invoking justice, it cannot be maintained, for instance, that William Waldorf Astor should be the owner of a fortune supposed to be worth one hundred millions of dollars, which he never produced and never even accumulated by any effort of his own, and that John Smith, a worthy but penniless gentleman of the same city of New York, who has apparently equal claims upon that amount of property in having done nothing whatever to acquire it, should possess absolutely nothing, and, besides that unfortunate condition, should not have even a fair opportunity to acquire wealth. Dame Nature's laws in some instances do not appear to be just any more than those of man, but this particular iniquity is not hers. The fowls of the air and the beasts of the forest seek their subsistence and their comfort unfettered by such conditions. Each takes from the hand of Nature what the season provides, and all receive exactly the same opportunities for "life, liberty, and the pursuit of happiness." They have

equal access to the benefits of life, and equal exposure to its reverses. Man in a purely savage state is unfettered, like the lower animals. No one monopolizes his surrounding territory or its wealth. Save for the penalties of savage warfare, he is free from tribute, and in the wild existence of the woods and plains he captures game and gathers berries without paying over a portion to any lord of the realm. In such a life no man pays rent for the privilege of existence to another man whose life-work has not been a development of the wealth he claims ; but this is not true of our boasted civilization and liberty of the nineteenth century. It is undeniable that the peaceful existence of the savage, as distinguished from his warfare, is blessed with more of justice and equal rights than our present civilization can bestow, so far as the rights to property are concerned. All savages had, or could have had, enough for comfort without unremitting toil ; but all who exist in London or New York to-day cannot secure comfort even with constant toil, nor can they secure opportunities to work when they desire. The records of the sweating system and the condition of tenement houses abundantly noted in recent publications is evidence of the wide existence of a condition like that described in the following paragraph from a report of the New York Sanitary Aid Society on conditions in the Eleventh Precinct :

“The investigations reveal a state of affairs than which nothing more horrible can be imagined, and which, although perhaps equaled, cannot be surpassed in any European city. To get into these pestilential human rookeries you have to penetrate courts and alleys reeking with poisonous and malodorous gases arising from accumulations of sewage and refuse scattered in all directions and often flowing beneath your feet. You have to ascend rotten staircases which threaten to give way beneath every step, which in some cases have already broken

down, leaving gaps that imperil the limbs and lives of the unwary. Walls and ceilings are black with the accretions of filth which have gathered upon them through long years of neglect. It exudes through cracks in the boards overhead and runs down the walls ; it is everywhere.

“The rooms are crowded with sick and dirty children. Often several families occupy the same apartment. One of the inspectors reports twenty-five persons in three so-called rooms, of which two are mere closets without windows or openings to the hall. Here is a family of father, mother, and four children, taking in fourteen boarders and living in three rooms. There are fifteen people of all sexes and ages in two little rooms, a great portion of which is in addition taken up with old rags and refuse. One of the directors discovered parents, three children, and fifteen geese living in a filthy cellar. Another visited a room which had actually not been cleaned or white-washed for five years, where the ceiling was tumbling down in pieces, one of the children being in bed from severe wounds on the face and shoulder inflicted by the falling plaster. Here were found a woman and five small children who were actually starving, having eaten nothing for two days ; there a woman but two days after confinement being ejected by an inhuman landlord.”

Neither this description of the condition of some of those who do not accidentally happen to own a hundred millions of dollars' worth of property, nor the following from a writer in the *Chicago Tribune* of January 1, 1893, is likely to convince many people that opportunites for existence are being equalized under civilization :

“About five minutes' walk from the city hall in New York is the most densely-populated section of the earth. From 225,000 to 500,000 people to the square mile are packed in tenement houses which cover from sixty to ninety per cent of the ground space in each block. There are not only the four and five-story houses fronting the street, but another row built inside the first and separated from it by a few feet, then in the middle space another square building packed with humanity from top to bottom.

Within the area of Mulberry, Hester, Baxter, Canal, Ludlow, Essex, and East Broadway streets are hundreds of sweat-shops. Not only the coarser goods, but the finer grades of women's underwear, cloaks, and men's clothing are made there.

"That underwear which you buy so much cheaper than you could make it at home, probably comes from a sweat-shop, and could you see the conditions under which it is made, you would shudder at the bare thought of having it touch your skin. That ready-made suit which seems so cheap and pretty, probably served as a bed for the filthy, diseased wretches who made it. I know that reputable firms deny that their goods are made by sweaters. The wholesale firms in New York are insulted at the bare imputation of such a thing; yet they admit that the work is given to contractors, and they don't know where it is done. I found those same contractors running sweat-shops in Essex and Baxter streets. Under the impression that our guide was a boss himself they told him what firms they worked for and where contracts could be obtained. One of the worst places visited was a fourth-story attic, where six men and two women lived and worked. They were making coats for a firm which has branch houses in Minneapolis and in every city of any size in the country.

"Nearly all of the tenements are four or five stories high. The ground floor of the outer building will be occupied by a store of some sort. The other floors have four flats on each floor and two rooms to each flat. The outer room is ten by twelve and has two windows. The inner room has no window, and measures four by six. In a two-room flat of this sort it is a common thing for six or eight grown people to live and work, not to mention an average of four or five children to every family. These buildings, facing the street, get some sunlight and such air as filters down the crowded streets.

"Then remember that back of this outer building is always one and sometimes two inner buildings. In these inner buildings people actually live and work and rear children without seeing daylight from one end of the year to the other. They keep lamps burning all day. A faint twilight on a summer's day is the nearest approach to day-

light that their habitation ever knows. One water faucet and waste pipe in the hall does service for every four families. The closets are always in the crowded courtyard, and all fuel must be carried up by hand.

"In the two days and a half we visited fifty-eight buildings and saw the dwelling places of more than a thousand families. Breathing the foul air, in addition to the physical exertion involved in climbing and descending five-story buildings, left me in a state of prostration from which I did not recover for several days. After it was over I understood better why no woman and but few men had ever made anything like a thorough investigation of the system. Filth and wretchedness, the desperate struggle for existence, and the absolute lack of anything approaching home life, combine to make a picture which seems to be burned into the memory of any one who has seen it. The little children are the most pathetic sight of all. The bad conditions, instead of killing out the race, seem only to encourage reproduction. The alleys, courtyards, cellars, and streets fairly swarm with children.

" 'They die like flies in the summer time,' said our guide, 'and the undertakers make special rates for the summer traffic in the tenement district.' "

Such destitution as these writers describe, and such as every one familiar with great cities knows to exist, is not caused by any general lack of wealth or deficiency of production.

Indeed, the saddest fact is that in periods of depression, when all that sustains life is most abundant and cheapest, there is always the greatest suffering among the poor on account of the scarcity of employment.

Do we not all remember the industrial armies marching in rags toward Washington, and propounding to their fellow-men the almost unanswerable enigmas recorded in the following lines :

"Why is it that those who produce food are hungry ? Why is it that those who make clothes are ragged ? Why is it that those who build palaces are houseless ? Why is

it that those who do the nation's work are forced to choose between beggary, crime, or suicide, in a nation that has fertile soil enough to produce plenty to feed and clothe the world; material enough to build palaces to house them all; and productive capacity, through labor-saving machinery, of forty thousand million man-power, and only sixty-five million souls to feed, clothe, and shelter?"

When it is remembered that for every case of destitution a thousand comforts can be found where they are not needed, such inquiries cannot be classed as impertinent. It cannot be supposed that such conditions are caused by natural laws, nor can we charge that they are the work of God.

The condition is not a new one; it is as old as civilization. But because it is old, shall we, therefore, admit that it is necessary and unavoidable?

Slavery was older than history, but men have abandoned the direct form of it.

Wife-ownership existed in society for centuries, but it is steadily giving way to better family conditions.

The extreme power and tyranny of wealth, and the extreme degradation of poverty, have always been a feature in the history of the race since wealth was accumulated; but are we to concede that men become no better and no wiser? We need to scrutinize our own habits and customs and social institutions.

In treating of this subject, its nature necessarily compels a writer to discuss with scant reverence what are termed the "sacred rights of property."

In doing so the reader who is firmly impressed with the idea that all property rights and transfers are justly established, is asked to withhold his conclusions till the wealth problem is completely discussed.

Sometimes we believe certain things and do other

things, merely because they have become established as customs.

We often accept religious and social and political ideas in this way, without genuine investigation, merely because we have been accustomed to them, or because our early associations have been connected with them.

How frequently does the boy at twenty-one approve the politics of his father, and the girl at eighteen the religion of her mother! Do we usually make a careful and thorough investigation of the nature and tendencies of important social institutions, or do we accept them as having been tried and proved by our predecessors to be the best possible institutions for our needs? Many, very many of us, it is to be feared, are ultra-conservatives, and one of the greatest obstacles to social progress is conservatism, for it make cowards of us all.

The Houssa negroes, according to Herbert Spencer's *Sociology*, have a saying that is an appropriate motto for the extreme conservative. It is "Because same ting do for my father, same ting do for me."

The intensely conservative man thinks that what is, must be; that civilization has nearly if not quite reached its complete development; that if things are wrong in a few particulars, they will right themselves somehow; that the rich may be too rich, but there's no way to prevent great riches; that the poor may be too poor, but there will always be poverty; that if the world has wagged for centuries under such conditions, it will probably continue to wag; and that as the wealth problem, according to his conception, does not concern him directly (for the ultra-conservative is usually neither very poor nor very rich), he would rather not think about it.

The conservative¹ is a great stickler for existing law

¹ "Human beings, like patients, would rather endure well-known pains, with which they have become familiar, than take the chances of

and order, custom and precedent. He is terrified by a proposition to make a radical change of any kind. If a new law is to be enacted, he would make it a very little at a time. If an old law is to be abolished, he would destroy it piecemeal. If his grandfather put on his coat in a certain way, the conservative would like to continue the custom in the family. When his conservatism is mingled with conventionality, it is a matter of very great importance with him to wag exactly as the rest of the world wags—only a little behind it. If his neighbors all go to bed at exactly nine o'clock, he deems it a necessity for him to do precisely the same thing, and he would rather be dead than to have the reputation of thinking or saying or believing anything that his associates consider queer.

The conservative has a value in society, and imparts to it a certain desirable stability, but he is not the stuff out of which reformers are made, and but little can be said in his favor when a change in social institutions is needed, except to compare him to a brake upon the wheels of the car of state to prevent a dangerous rate of progress over rough ground. When his conservatism becomes so extreme that he will not listen to the pleas of progressionists, and when he persistently turns his face toward the past instead of the future, the only simile that adequately describes him is the rough political assertion of some of our campaigns, that he resembles "a jackass hitched the wrong way between the shafts of a cart, and braying denunciations because the progressive combination is not a success."

The conservative worships his ancestors. Perhaps he does not do so consciously, but he feels a perpetual

a first-rate operation. They prefer a few timid efforts—and those at long intervals, slowly attempted and deliberately carried out—to secure their recovery."—M. REYBAUD.

reverence for whatever is well established or time-honored, and a corresponding distrust for anything contrary to what he and his fathers have practiced. If he positively knew, as the popular acceptation supposes the Darwinian theory to assert, that his remote ancestor was a monkey, the ultra-conservative would immediately conclude that because his ancestor was ancient, he must, therefore, have been a very respectable monkey, and perhaps in many respects superior to himself.

Men of the conservative temperament so assiduously and so reverently gaze at the vanishing past, that they tumble helplessly into the pitfalls of the present. We are surrounded by these dangers now ; let us hope that the reverence with which we view time-honored institutions will not blind us to the necessities of a change. The tools and the fabrics of ancient existence are not those our condition now demands. We have outgrown many customs of antiquity, yet still some of them linger. Our wives and daughters have worn jewels in their ears, not because these really add to their comfort or beauty, but because a savage ancestor, somewhere in the dark ages before history was written, with a savage's idea of personal adornment, hung rings or sticks from her ears, and the custom has descended to the ladies who still follow it. Is it not probable, therefore, that we shall find in our social institutions many barbarous customs surviving far beyond the limits to which they should have been extended, just as the word "obey," as a pledge for the wife, has been retained in marriage ceremonies in significance of the time when woman was absolutely man's slave?

Instead of worshiping our ancestors and the social institutions they have bequeathed to us, after the fashion of extreme conservatism, the rational course in justice to ourselves is to scrutinize all their acts, and customs, and

laws, and traditions with the utmost suspicion. Without being unduly disrespectful to my ancestors, some of whom may have been very worthy people, I must say that, although I have no personal knowledge of their character and accomplishments, there is every reason to believe that, in general, they were like those of other people, a succession of brutal savages, whose brutality increased with their antiquity.

Indeed, we have very little real reason for claiming that we are civilized at the present moment, for civilization is only a relative condition. We have some reason for thinking that we are not quite such savage, stupid beasts as Caribs, for instance; and we may feel certain that we know more and treat one another more justly than did our forefathers a thousand years ago; but whether we are now really civilized or not—that is the question.

On that particular feature of the nineteenth century, what will the people two thousand years later think and write concerning us? Will they classify us as barbarians, or between the two eras will there intervene a period of social degeneration and a rise from which the people of the year 4000 will regard our condition as an ancient civilization rivaling their own? It is useless to speculate on the dim future, but we know at least this much: Our social institutions are continually changing, and they are no more stable now than they were five hundred years ago when our half-barbarous forefathers existed, or when, before the dawn of history, their ancestors lived in caves and chased the mammoth. Our civilization is not yet effected, and we are not really civilized in the sense that civilization is complete, but only in the sense that we have progressed from the condition of our ancestors, have learned many things which they did not know, have demanded many things which they did not think

necessary, and have abolished as unjust many practices which they did not think wrong.

Our natural condition is that of transition. The things that we may approve to-day, our successors may denounce to-morrow, and he who seeks to maintain by force a decaying social institution against the natural forces that tend to destroy it, as thousands of laws and customs have already been destroyed in the past, is merely endeavoring unwittingly to inflict upon the social structure a spasm such as convulsed this country when slavery gave way before advancing thought.

Do not forget that, if our savage ancestor¹ was like other savages, sometime in the four hundred thousand years of man's probable occupancy of earth he was a cannibal, devouring the enemy he had conquered; he was a child-murderer, destroying his own offspring lest its existence give him trouble; he was a parricide, putting his own mother to death when the infirmities of age interfered with her usefulness.

Under the same progress which is still going on, he ceased to murder his family and to eat his neighbors when he quarreled with them, but he, nevertheless, sold his own daughter to another savage for a slave, obtained his own slave wife or wives in the same way, and complacently made slaves of all others whom he could subject to his power, possibly because it was more profitable for him to enjoy the results of their servile labor than to enjoy their cooked flesh, perhaps because he became morally better then, as we do now. As a religious savage, he conceived it his duty to flay a captive alive and to dance before his deity wrapped in the bleeding skin of his victim.

In the arts of war he exulted in the facility with which he could remove the heads of his victims, when dead, and

¹ Herbert Spencer's "Principles of Sociology."

eventually, as a matter of convenience to himself, their scalps. His enemies, when reduced to subjection, were designated by such enduring marks of remembrance as the removal of ears, noses, teeth, and fingers.

Eventually his refinement developed to such an extent that he merely killed his neighbors when they disagreed with him about matters of property, and reserved the arts of torture for those persistent associates who refused to be religious in his way and according to his improved ideas. His progressive ideas in regard to slavery are noteworthy.

At first he believed that anybody whom he could reduce to servitude was rightfully his slave—his wife, his father, or his enemy. Later on, he was content with holding his wife and his servants as partial slaves. Finally, he concluded that slavery could only apply rightfully to people whose skins were colored differently from his own. Thus we come to negro slavery ; and does it not seem astounding, regarding slavery as we now do, that only a little more than thirty years ago there were millions of slaves in the United States, and that thousands of our own white blood, both North and South, boldly defended its existence and denied that it was wrong? ¹

Does it not seem to us now, even at this brief period of one generation later, that it is a disgrace upon humanity that Abraham Lincoln should have been compelled by the opposing strength of public opinion to battle so bravely for human rights, and to gravely inquire, as he did in the

¹ "In the light of the present day, when slavery no longer exists in the land, when speech is absolutely free, in and out of Congress, it is hard to believe that during the Presidency of Mr. Van Buren, and under the Speakership of Mr. Polk, the House of Representatives voted that 'every petition, memorial, resolution, proposition, or paper, touching or relating in any way or to any extent whatever to slavery or to the abolition thereof, shall on presentation, without any further action thereon, be laid upon the table, without being debated, printed or referred.'"—JAMES G. BLAINE.

following extracts from his speeches, whether slavery is right or wrong?

“Is slavery wrong? That is the real issue. It is the eternal struggle between these two principles, right and wrong—throughout the world. They are two principles that have stood face to face from the beginning of time; and will ever continue to struggle. The one is the common right of humanity, and the other the divine right of kings. It is the same principle, in whatever shape it develops itself. It is the same spirit that says: ‘You work, and toil, and earn bread, and I’ll eat it.’ No matter in what shape it comes, whether from the mouth of a king who seeks to bestride the people of his own nation and live by the fruit of their own labor, or from one race of men as an apology for enslaving another race, it is the same tyrannical principle.

“I have said that I do not understand the Declaration to mean that all men were created equal in all respects. They are not our equal in color; but I suppose that it does mean to declare that all men are created equal in some respects; they are equal in their right to ‘life, liberty and the pursuit of happiness.’ Certainly the negro is not our equal in color, perhaps not in many other respects; still, in the right to put into his mouth the bread that his own hands have earned, he is the equal of every other man, white or black.”

Do not our martyred Lincoln’s words sound somewhat like the absurd inquiries of the rabble in Coxey’s army that we have already quoted? And if we substitute the words “wealth tyranny” for slavery or slave tyranny in the extracts from his speeches, substituting for the word “color” the word “ability,” will not the brave words of our dead President bring home to us a stern and thoughtful sense of the wrongs that society is still perpetrating, even though we have abandoned cannibalism and infanticide and negro slavery? Are we so enraptured with the glories of the past that we cannot see the wrongs of the present, and shall we deny the existence of those

wrongs on the rostrum and in the pulpit and in the press, just as Lincoln's opponents denied the wrongs of negro slavery?

It is to be feared that the conservative will again unite with those who have selfish interests in maintaining wealth tyranny, just as he joined those who fought for slave-tyranny, in our civil war ; but every appeal should be made to the dormant spirit of progression, and every remonstrance urged against his fatal habit of reverence for the past and distrust of the future. He should consider the slavery of woman, and how from a mere beast of burden, as she was held by our ancestors, her condition has been gradually alleviated by an awakening sense of justice coincident with man's developing intelligence, until now the actual dawn of a complete emancipation can be perceived.

Our conservative should remember that men of his class laughed in derision only a few years ago at any serious proposition that woman should vote, or that she had a natural right to vote. Yet the world moves in spite of conservatism, and a portion of the republic already permits women to vote, and other portions are preparing to do the same thing, while "woman suffrage" scarcely meets with serious opposition.

The disinterested conservative of to-day will ridicule, and the man whose personal interests are directly affected will abuse the reformer who demands the emancipation of wealth-slaves, precisely as the same factors of society forty years ago denounced the abolitionists of negro slavery.

Yet the slaves of King Mammon will also become free, for their cause is just, and in the end justice will prevail. In the eyes of the Southern slave-owner, the abolitionist was a demon who would rob him of his wealth and deprive him of the rights of property, and this demon was

held up for universal execration in the slave-holding community, and denounced as the most utterly debased of all creatures.

It is ever thus with men when their selfish personal interests are attacked. The slave-owners resisted bitterly and violently the onward progress of society, but the doctrines of the abolitionists triumphed, for they were right, and our social direction is ever onward and upward, away from the gross brutalities of our early existence.

History will now repeat itself in a new contest over the rights of property, but it is to be hoped that no appeal will be made to the horrible adjudication of civil war. In the coming struggle, the abolitionists of 1860 will become the "anarchists" of 1900,¹ for this term of opprobrium will be applied to all who demand important changes in what are now considered the absolute rights to property,² exactly as slave-ownership was considered an absolute right fifty years ago. In the progress of the anti-slavery agitation, people who had no direct interest in the maintenance of slavery, at first regarded the abolitionist as a harmless fanatic; the slave-owner considered him a dangerous fanatic. So, in the new crusade against slavery by wealth-power, the men who first demand emancipation will be denominated harmless anarchistic or socialistic enthusiasts by those who have no immediate personal interests involved in the agitation, and dangerous anarchistic demons by those whose power and privileges must be

¹ "In truth it required no small degree of moral courage to take position in the ranks of that despised political sect forty-five years ago. Persecutions of a petty and social character were almost sure to follow, and not infrequently grievous wrongs were inflicted, for which, in the absence of a disposition among the people to see justice done, the law afforded no redress."—JAMES G. BLAINE.

² Rev. George D. Herron, the author and lecturer on Christian Socialism, one of the least aggressive forms of progressive thought, was publicly denounced as an anarchist in San Francisco in April, 1895, by a Dr. Brown, whose ancient slave-driving instincts would still lead him to repress free speech.

invaded by new laws. The monopolists of earth and earthly opportunities will abuse those who oppose the perpetuation of their privileges as viciously as the slaveholders denounced the early abolitionists of the underground railway, and they will assert that he who questions the justice of our present laws relating to the distribution of property is a traitor to his country and a foe to law and order.

It is sufficient for the present to remember that no real alleviation of existing wrongs can be achieved except through law and order and the peaceable expression of the will of the majority.

With the destructive knights of the torch and the bomb, this book has naught to do. Its author was born in this country of ancestors reared for generations in the spirit of American institutions. He is proud of the record his country has already inscribed in the pages of history by obliterating the tyrannical dogmas of a barbarous past, and he honors the brave spirit of the American people too much to remain silent when they are drifting steadily in a current that can lead only to destruction. Mental and moral agitation, the accomplishment of justice, the right of free speech, and peaceful government by the majority are all that the writer desires or demands. If he cannot show that all his claims are founded on justice and equal rights, he asks neither sympathy nor support from any man for the cause he advocates. Yet the friends of liberty must demand that no voice calling for reform, however radical, shall be drowned in a storm of denunciation amid the howl of "anarchist."

Let us approach the question of the rights to property boldly and frankly, with no weak subservience to the past and no unmanly fears of the future. Let us constantly inquire: Is it right—is it just? When, after mature deliberation, we can clearly answer those ques-

tions, let us hold fast to what is just "though the heavens fall," for in the maintenance of justice only can there be abiding government and permanent social prosperity. As this republic could not exist half slave and half free, so it cannot exist with a race of wealth aristocrats ruling a race of serfs. With justice at the foundation and progress under just laws, our government may survive; but whenever an unjust institution is permitted in society and allowed to develop, it terminates in blood and destruction. The seeds of evil deposited by one generation of men ripen into Dead Sea fruit to be gathered by their successors. Humanity is now about to gather one of these bitter harvests for which the seeds were planted a thousand years ago. What will that harvest be?

CHAPTER VI.

THE ROOTS OF THE UPAS TREE.

"That our Creator made the earth for the use of the living and not of the dead; that those who exist not can have no use nor rights in it; no authority or power over it; that one generation of men cannot foreclose or burden its use to another, which comes to it in their own right, and by the same Divine beneficence; that a preceding generation cannot bind a succeeding one by its laws or contracts, these deriving their obligation from the will of the existing majority, and that majority being removed by death, another comes in its place with a will equally free to make its own laws and contracts—these are axioms so self-evident that no explanation can make them plainer; for he is not to be reasoned with who says that non-existence can control existence, or that nothing can move something. They are axioms, also, pregnant with salutary consequences. The laws of civil society, indeed, for the encouragement of industry, give the property of the parent to his family on his death, and in most civilized countries permit him to give it by testament to whom he pleases. And it is also found more convenient to suffer the laws to stand on our implied assent as if positively re-enacted, until the existing majority repeals them; but this does not lessen the right of that majority to repeal whenever a change of circumstances or of will calls for it. Habit alone confounds civil practice with natural right."

—THOMAS JEFFERSON.

IN order to discuss the social problem of wealth-conditions on a plane that will free it from the charge of sentimentality, and reduce it to the simplest possible form of human rights, we will discard from consideration all ideas of charity, benevolence, religion, or any other feeling that might call down mercy for the poor man. All that will be demanded for him is justice and fair opportunities in the contest. Equality of wealth is not claimed for any man in these pages, but equality of opportunity is surely justice to which he is entitled. Let us now see whether in the race of life, he runs in a fair field with no favors granted to other men.

Under just laws the evil results of wealth concentration

by the competitive system of modern social life would not become very serious or dangerous were those conditions not fixed, transferred, and perpetuated by the lapse of time and the changes in population. If at any period of the earth's history, and in any country, we place any number of men at work with free access to the advantages of earth as a home, they will labor in various ways, with different habits and degrees of intelligence and industry. In the accumulation of wealth and the means of comfort, some will naturally and justly achieve a greater prosperity than others. This statement of an evident truth constitutes the standard argument of those who oppose or ridicule any attack on the injustice of existing wealth-distribution. A frank admission of this truth is thus stated, for this book is not written to excite ignorant prejudice, but to stimulate thought and discussion. When men commence life with equal opportunities and contest for success, some will inevitably and justly—so far as justice can be obtained under competition—become richer than others. In the average existence of one generation, perhaps thirty-five years, or even in twice that period, the differences in wealth-accumulation will not ordinarily become oppressive or dangerous and destructive to government, for absolute equality of wealth is not necessary to an equitable condition under competition, and not really desirable even if it were possible. In a single generation the wealthy people do not become idle and profligate, nor the poor such miserable rats of servile poverty as now exist in the slums of every city. The richest man will still remain a worker, and the poorest man will not have prepared a bomb with which to annihilate the other. If, then, a single generation could exist under competitive principles without necessary injustice, and if every other generation, under the same conditions, could live out a fair competition, and, finally, if

after the lapse of many generations every country in the world has arrived at a condition of such frightful and evident injustice that men are being driven to riot and murder and rebellion on account of it, the essential wrong at the foundation must exist in the links which connect one generation with the next ; for if injustice does not exist in the competition of any generation separately wherein all the individuals possess equal opportunities, it must exist in whatever connects those generations, by which unfairness enters at the beginning of every new contest. We will search, therefore, in the laws of successions for the principles upon which they are based, and examine the methods by which the wealth accumulated by one generation is transferred to the next.

It is scarcely conceivable that any intelligent person, unbiased by motives of personal loss or gain, after reflecting on the nature of our present laws of succession, can doubt that they embody the unfairness which is the principal cause of the dangerous wealth-conditions that are within our power to modify by legislation, and that the essential wrong of an aristocracy, domineering over an humbler and greater body of apparently equally deserving people, is to be found in the unjust principle, which has usually received the sanction of civilized society in all its recorded history, by which the ancestor who has accumulated wealth names his successor and delivers his possessions to one or a few survivors, independently of any efforts which the latter may or may not have made in the acquisition of the property which they receive by his bequest.

Transmitted in this way, there is a tendency for the original fortune to increase as an aggregate within the family limits, and to become fixed as a family possession ; for, if the heirs, who are usually the direct descendants, inherit, as they naturally do, the money-making

instincts or talents of the ancestor, the family estate increases in value from generation to generation, gaining volume like a snowball as it is pushed forward.

Many fortunes, it is true, have been dissipated by spendthrift heirs, and by division under bequests ; but immediate or even rapid distribution is not the natural and usual tendency, for the accumulating ancestor almost invariably feels a pride in his fortune and desires to leave it in a body if possible, so that it may be a monument to his superior abilities ; and the natural laws of heredity often carry money-making and money-saving instincts down through many generations in one family.

The families of the Rothschilds and the Astors are notable instances of this kind, and the fact that large fortunes are transmitted from generation to generation in every civilized country, although many fortunes are dissipated, is proof of the tendency of wealth to fossilize without further comment.

The inequitable and wasteful distribution of wealth by profligate heirs is almost universally regarded as beneficial to society. People would rather see a great fortune broken up by wasteful heirs than to see it perpetuated ; but so inconsistent is average human nature of the unreflective sort, that many of those who approve this distribution, will denounce methods that are far more equitable and beneficial than the extravagance and vicious habits of spendthrift heirs.

In the law of successions lies the root of the wealth evil. Where else can it be ? If the conditions of natural competition—not modern competition—are just, as nearly every one believes, there is nothing unfair in the conditions of the struggle till competitors drop out of the contest by death, and others are substituted by birth and inheritance ; yet in spite of this assumed fairness every country in the world eventually reaches the same dis-

astrous condition of the very rich and the very poor, with aristocracy and pauperism, and where men who cannot find an opportunity to work for mere bread view with the murderous instincts of the savage heart of destitution the luxury of another man who never in his life did an honest day's work in productive effort of any kind.

The succession of generations and the manner in which property rights are transferred are the principal causes which breed the evil. Nearly every man whose selfish interests do not distort his judgment will acknowledge the injustice of the result of transmitted fortunes, but few, it is believed, have noted the equal injustice of the cause, for the nature of inheritance has not frequently been analyzed. It can hardly be disputed that under any possible form of government based on the competitive system which men can establish (excepting the limitation or prohibition of wealth accumulation, a course really destructive of free competition), if inheritance be permitted in the form that now exists, great fortunes involving a monopoly of earth will inevitably ensue; the very rich and the very poor will be brought into fierce opposition long before the density of population compels a merely animal struggle for existence; and the government will go down under internecine strife unless temporizing measures can allay the ill-feeling of the disinherited.

There is no escape from this result. This being the status of our wealth problem, what can we do? One thing ought to be evident: Any governmental principle that we adopt must be approximately just in order to secure a permanent prosperity or genuine progress. Public good cannot arise from public wrong at its foundation. Evil seeds will produce evil fruit. If the converse of this proposition be true, that evil fruits are developed from evil seeds, no additional argument should be necessary to convince an unprejudiced reader that he will discover

something wrong in the law of successions, for the evil fruits are to be found on every hand.

After deliberate thought, the writer is convinced that the system of bequest and inheritance that prevails in every civilized country is radically unjust and productive of tyranny, and that it develops the principal conditions of which the moral sense of society now complains.

No person in whom there exists any genuine love of fair play can compare the condition of a boy who inherits a fortune of one hundred millions of dollars with the condition of a thousand other children taken at random from the people surrounding him, remembering that as children they have not produced what their ancestors have accumulated, be it much or little, and remembering that if they compete with one another for success in life they should justly have an approach to equal opportunities at the start, and then say that such a condition and such strife are just ; that all of those children really have fair opportunities, considering life as a contest ; that every child is in possession of his natural rights ; and that all exist as God or nature intended that they should exist. We all know there is unfairness in any contest of that kind. We would not permit our horses to run in a race where one possessed all the advantage of position at the start. Even boys playing a game of ball or marbles would rebel and become "anarchists" under conditions so grossly unjust.

We will commence our investigations by inquiring in the first place, what natural right any man has to become an heir. Does the son or other descendant of a wealthy ancestor, or does any other survivor, possess any natural or just claim to the property of the decedent to the exclusion of his fellow-creatures? Society has at various times in different countries granted a legal right—sometimes absolute, sometimes secondary, to the legal right of

the ancestor—to bestow his wealth upon certain persons recognized as heirs and preferred as successors ; but, after discarding all considerations of labor and reward, it can be conclusively denied that any person has a natural or just claim upon society for this preference. The only just claim that any man can have upon property is from what we call production, which is only transformation by the application of labor ; for there is never any absolute production in the sense of bringing something into existence that did not exist before. A man can make a plow, but he cannot make the chemical elements that enter into the material which composes it, so his production is only a transformation.

Hence it can be proved that unless any person has produced or assisted to produce the fortune which he expects to inherit, he has no better right to it, in a moral sense, than any other survivor, for in attempting to establish justice in society, we cannot permit the mere question of consanguinity to affect our verdict.

My father may have been a murderer, but society does not attach blame to me on account of his acts ; therefore, if my father happens to have accumulated a million of dollars, why should society permit me to claim the credit and take the entire amount, regardless of my own efforts and success, on account of the same kind of relationship ?

When man enters this world, by his mere presence upon the planet, if any attempt is to be made at equitable government, he justly acquires the natural right to freely use earth in all its multiplicity of forms, observing and admitting similar rights in every other man. He has an equal right with all others to the use of natural wealth surrounding him, and a better right than all others to that definite portion of the earth to which his labor has been applied. If we except the mere exchanges of property rights, I can conceive of no just method by which any man can estab-

lish a special claim to what he has not produced by his own efforts. I do not understand wherein any person can establish a just claim to succeed to the property of another person by inheritance, when his own efforts have not produced the wealth.

No matter what position may be taken concerning the justice or expediency involved in the accumulation of huge fortunes by monopolies and speculation ; no matter if we concede that gambling is fair among gamblers, and the successful gambler entitled to what he wins ; no matter if we concede that every great fortune is accumulated justly, still it must be denied that the son of another man who has produced or accumulated wealth by the fairest methods, has any just claim upon that wealth, unless his own efforts have entered into the production of it ; for any other theory is an acknowledgment that certain men should reap where they have not sown, should expect a substantial reward from idleness and social worthlessness, and should require society to set them up as something better than ordinary mortals, who must work before they eat.

By long-established custom the heir apparent imagines that he possesses some natural claim upon the property of his ancestor, and often feels aggrieved, as though he were treated unjustly, when the dying man disinherits him at the final moment, even if he has in no way aided in producing the fortune he desires. The disappointed descendant is right in feeling injustice, but the injustice that really exists is not the imaginary injustice that he thinks he feels.

As one of the great social group remaining after his ancestor's death, he is entitled to his equal share of the specialized property that was left behind ; but otherwise the disinherited offspring expecting the reward of another man's exertions is not defrauded of anything whatever

that could be or ought to be his by the inexorable decrees of justice, for he is only one of the many who should inherit the earth as other men lose the power to use it by the decrees of death. No man has any natural right or equitable ground for claiming anything that he has not produced, beyond the equal right that is possessed by every other man to occupy and use earth and its products. No man can justly establish an exclusive claim to an inheritance, and every edict of society providing for special inheritance is a wrong perpetrated upon the body of the people.

Where the will of the state is permitted to operate in the case of distant relatives, who have had no intimate personal association with the decedent, and who receive a large fortune without having known the owner, this lack of equity becomes very apparent.

The following account of a fortune inherited in this way recently appeared in the newspapers of California :

“ More like a romance reads a narrative of real life, in which the parties interested are Contra Costa and Alameda County people. Many years ago one Dan O’Keefe of County Cork, Ireland, took passage on a man-of-war bound for the East Indies. The lad was about 16 or 18 years of age, and was seized with a love of adventure and a desire to amass a fortune. He evidently accomplished both, for, unknown to his family during life, it turned out that at his death he left a fortune of five million sovereigns, that for the last eight years has been seeking for heirs. As near as can be ascertained with regard to this young man’s career, the fortune had been accumulated through trading in diamonds and opium.

“ English lawyers in London, England, have been searching the world over for the relatives of this dead millionaire, and letters finally reached the O’Keefe family of Contra Costa County. Four of the brothers—John, Dennis, Dan, and Jerry—reside in Alameda County, while a sister, Mrs. P. Roche, lives near our town of Concord, in Contra Costa County. So far they have proved themselves the

nearest of kin, first cousins, and Mrs. P. Roche has recollections of her kinsman leaving his Irish home to seek his fortune.

"The property is drawing interest at the rate of half a million dollars yearly, and the fortune now figures up a total of some thirty millions of dollars."—*Concord Sun*.

Whether this narrative is exactly correct or not in details is immaterial, so far as the logic of the circumstances is concerned. The essence of the story is that a man accumulates a fortune on one side of the earth, which necessarily represents not his own production, but the concentrated production of a vast number of other men as well as himself. At his death the control of this great wealth is transferred to a few people on the other side of the earth, who never knew its possessor, who never assisted in any way to produce the fortune, and whose sole claim to inheritance is the mere accident of relationship through a common ancestor, which occurred independently of any volition of their own.

The absurdity of this kind of wealth distribution becomes very apparent in a case like the one narrated in the statement here quoted, but the real nature of the transferral would not be altered if the heirs had been children of the dead man, instead of cousins, provided they had not assisted in the actual production or accumulation of the fortune. The essential thought involved is that, whereas it would be unjust to hang a child because its father was a murderer, or imprison it because he was a thief, so it is unjust to permit a child to set up any special claim to its father's fortune merely because he happened to be a wealthy man instead of a thief or a murderer. The child is not responsible for the crimes of the parent, and is not rightfully credited with the rewards of the parent's worldly success or distinction. Society has already rejected the idea that the son of a ruler is entitled to the same power,

but it has not given up the notion that the son of a wealthy man is in some way entitled to the fortune his father has accumulated.

Having thus roughly sketched the fallacious ideas that are embodied in the views of an expectant heir, we will postpone a more thorough discussion of the principles they involve, and briefly consider the position and rights of the ancestor who expects to bequeath property at his death. Nearly every man who at first considers the ethics of successions will say : "I believe that I have a moral, as well as a legal, right to dispose of my property exactly as I please at my death." We shall investigate this question, and it is to be hoped that every reader will approach the subject with an honest desire to reach the truth and evolve principles of justice and equity ; for on no other basis can peace be maintained and society protected from warring factions.

In the first place, society does not, even now, recognize an unrestricted right in a decedent to transfer his individual possessions, for in some nations and states he may not absolutely disinherit his direct descendants. The principle is slightly recognized in the present, as it has been very distinctly in the past, that the power of making bequests is not an absolute right that belongs to the individual, but is merely a privilege conferred upon him by society, in order to provide a convenient method of succession.

If we believe that men should have equal opportunities in the struggle for existence, when they are associated under one government, and if we are prepared to concede to other men what we demand for ourselves, we must deny all right in any man to bequeath anything whatsoever. For what moral right has any man when he abandons the world and resigns by force of stern necessity his interests therein, to interfere with the progress of the

survivors, by transferring those interests to one or a few, when that transfer will immediately and necessarily produce unjust conditions among them by giving to a favored class wealth which they have not produced, and to which they are not entitled? When I inquire for this moral right, or social reason, for the privilege that has been granted, I demand for humanity justice and equal rights, not an expression of individual desires born of natural love and affection.

What *right*, I say, not what *desire*, has any man to interfere in the competition between his children and the children of other men in the surviving generation by bequeathing to his own progeny the vast power of a fortune? The battle for success is not between the dead and the living, but between the living alone; and if government is to survive, we must continually effect justice between the men who continue to inhabit the earth.

Even brutalized humanity does not permit a dog-fight under such unfair conditions, yet our boasted civilization, with its supposed triumphs of justice, condemns posterity to a battle for existence in which at the outset some are equipped with fortunes and others hampered with abject poverty.

Paternal love causes nearly every man to think that as he would like to leave a large fortune to his children if he possessed one, so he ought to be willing to permit another man who actually possesses such wealth to bequeath it as he sees fit. That is a wrong conclusion, because it is based, not upon the principle of fairness or justice, but upon the parental instinct of protection to offspring which is common to all the mammalia, and is displayed in equal perfection by the she-wolf when guarding her litter. Even granting the idea that the parental principle of affection must be recognized, there still remains the fact that the poor man has a natural affection

for his children, and would see them started fairly in the world when he leaves it, without unjust discrimination against them.

If, however, men would arrive at any solution of social troubles, they must discard the bias of self-love and love for other people, and continually inquire: "What is just?" It will not do to say: "This act is right because I would like to do it, and am willing that other men shall do the same thing." The same false reasoning would sanction theft and murder, and reduce society to anarchy. When the act men like to do is in itself unjust, the result of its continuance is accumulated injustice and social wrongs that eventually transform men into maddened brutes. Society is continuing a wrong by permitting the individual power of making bequests. To realize that wrong, we have only to imagine that our present wealth centralization shall increase, till one man owns the entire wealth of the nation, the others renting or borrowing of him as their necessities compel them to do; and that he then bequeaths his wealth dominion to successors. Would not such a condition be an absurdity? Yet, if it is right for a man to bequeath one dollar, it is right for him to bequeath the entire wealth of the nation, provided that he can subject it to his control.

The only doctrine that can be reasonably maintained is that men are merely life-tenants on earth, and that when they die all their rights cease. The ancestor has no moral or natural right to name his successor, and the heir expectant has no such right to succeed to the fortune, no matter what be the existing relationship, unless he can show the right of a producer. Succession to wealth is purely a matter for society to determine in accordance with justice to all its members.

CHAPTER VII.

MENTAL AND MORAL TREADMILLS.

"The mind of man may be compared to a musical instrument with a certain range of notes, beyond which in both directions we have an infinitude of silence. The phenomena of matter and force lie within his intellectual range, and as far as they reach, we will at all hazards push our inquiries. But behind, and above, and around all, the real mystery of this universe lies unsolved. . . . Fashion this mystery as you will . . . but be careful that your conception of it be not an unworthy one. Invest that conception with your highest and holiest thought, but be careful of pretending to know more about it than is given to man to know."

—JOHN TYNDALL.

THE philosophical reader, especially if he be contentious, will object to the expression, *natural rights*, which occurs frequently in some portions of this work. The French writers of the Revolution, basing their theories on an imperfect knowledge of history, assumed that the social institutions of that era had degenerated from a supposed State of Nature in which they were pure and just. Man's "natural rights" were those which he possessed in this fictitious condition, and of which, it was presumed, he had been deprived by tyranny. This usage of the phrase has been justly ridiculed, and the theory of man's previously happy condition in a State of Nature long since abandoned, so a few words explanatory of the phrase as here used are necessary.

The words "natural rights" do not form a very accurate expression of thought, for they may indicate some imaginary rights conferred by nature upon man, or they may mean certain privileges that he ought to possess, but which he does or does not possess according to the tenor of the governmental and social regulations by which

he is controlled. As to the first meaning, I agree with the objectors to the theory of natural rights in failing to discover any morality in the laws of Dame Nature, or any disposition on her part to discriminate between what human beings term right and wrong, for "the rain falleth upon the just and upon the unjust," and the light of heaven shines to assist the demons of evil as clearly and steadily as to aid the purer spirits of mercy and benevolency. In the struggle of life, among all her creatures, Nature invariably crowns the strongest in its entire adaptation to environment, without the least regard for what men call mercy or justice. In this sense of assumed privileges conferred by nature on human existence, the phrase "natural rights" has no significance, for nature never conferred aught but a battle to the death for mere existence upon any living thing. The real significance of the expression as it is here used is in contradistinction to artificial rights, or legal rights, or acquired rights; that is, natural rights are those which the law may or may not recognize, but which the individual ought to possess were his condition made to conform to the ideas of justice ordinarily accepted and enforced by his fellow-men. Thus, in relation to the female sex, civilized humanity is beginning to admit that while women have in comparatively few places acquired social and political rights equal to those legal rights possessed by men, yet they really have a natural right to a free existence and to an unrestricted opportunity to labor as seems best to them, to acquire and hold separate property, and to exercise the privilege of the ballot. In saying this, men do not ordinarily believe or contend that nature has conferred upon either men or women the right to vote, but that the ideas of justice acknowledged by the community, or its moral sense expressed in other things, urges that woman ought to exercise a privilege that is now denied

to her by the laws. The terms moral right or ethical right are apparently preferable to the expression that has been used so frequently, but as the phrase selected is immaterial when its meaning is understood, the good old formula of *natural rights* will be retained in these pages.

As the nature of our ideas of right and wrong, of justice and injustice, is involved in subsequent investigations, a brief consideration of the origin of ethical perceptions may not be inappropriate here. An examination into the nature of what people name morality will soon convince the untrammelled thinker that, when the absolute and undeviating dicta of religious doctrines accepted as the fiat of a Deity are discarded, the foundations of morality, including what we term justice, are built upon shifting sands, and that the ethical edifice which it pleases human beings to construct thereon is at any moment liable to be ingloriously tumbled into fragments. Having only one brief lifetime at my disposal, I do not intend to become involved in the mystical haze and speculative uncertainties that surround all philosophical investigations into the ultimate nature of right and wrong. The man who is not prepared to enter into centuries of unprofitable discussion should admit that, whenever we attempt to provide or discover some unvarying or absolute standard by which humanity can for all time determine that one thing is right and another thing wrong, that one act is just and another unjust, the only possible result will be mental confusion and the conclusion that the exact determination of human duty is a problem akin to the determination of the circumference of a circle when its diameter is known. Men endlessly approximate to the solution of each problem, but will the exact truth ever be known in either case?

When, therefore, some thinkers attempt to lay down absolutely fixed principles defining right and wrong, thus

striving to evolve ideas that will perpetually guide struggling humanity in the broad way of justice; and when other cynical commentators on these doctrines ridicule their lofty pretensions, and by comparisons between the struggles of men and the struggles of brutes for existence, indicate that no right but the right of strength really exists, and that, however we may disguise the actual condition of humanity by sentimental rhetoric, natural rights are a myth, both classes seemingly ignore the law of progress by which all human ideas and institutions are continually changed.

It is true that the human intellect becomes confused in attempting an exact determination of the principles of morality, and that no absurdity is greater than the attempt of the moralist who would formulate unchangeable doctrines for the guidance of the human race; but it is also true that new ideas of morality are continually being developed by progressive humanity, and former notions of right and wrong changed to suit the more modern conceptions of duty. No matter whether one group of philosophers endeavor to analyze these ideas and to determine them by rigid boundaries, or whether another sect ridicule such attempts under the assumption that right and wrong can never be discriminated, the people move continually onward, without regard to philosophical doctrines or even plain consistency, changing their ideas of justice from year to year, and evolving new rights and wrongs every century.

It is quite true that Nature cares not a straw whether men eat microbes, whether microbes eat men, or whether men eat men. Man in his savage state is almost equally indifferent, except that he universally objects to being eaten. His moral sense does not revolt at the idea of killing and eating his fellow-creatures. Cannibalism is to him a duty, and the moral satisfaction which some of

our ancestors may have felt in devouring their neighbors was probably quite as strong an emotion as the pleasure that some of us experience in the present age by relieving the necessities of the deserving poor. What seem to modern humanity the crimes and brutalities of the past were then duties. When the father destroyed his own child, the act was not considered wrong, for the accepted theory at that time made the child its father's property, without any individual rights, and he might, if he saw fit, destroy it as remorselessly as he would burn the stick of wood he had procured for his fire. Cannibalism and infanticide were transferred from the schedule of rights to the black list of wrongs, but ethical ideas still held the woman, whether wife or daughter, as a slave—a thing to be bought and sold, treated as a beast of burden, and beaten like a horse or a dog for any rebellious spirit.

Those savage ideas have been modified by the lapse of time, but at least one-half of the men now living in the United States still cannot think that woman is a human creature, entitled to the privilege of directing her own efforts as absolutely unrestricted as those of a man under like circumstances.

It is only a few years since the ideas of educating women, of permitting them to transact business in their own names and rights free from slavery to the husband, and of entering trades and professions hitherto monopolized by men were ridiculed and denounced.

It is evident that all these men of the past and present, regarding woman either as an absolute slave, or merely as a being not entitled to the same political and social privileges that a man exercises, have usually been perfectly sincere in their convictions. Men held women as slaves in the past, and they object to any further privileges being extended to the female sex in the present because their ideas of right and wrong, of justice and in-

justice, develop slowly, their political and social institutions at any period of race history being no better than the men themselves, and not because they wilfully violate their moral sentiments from a consciously selfish motive. During the existence of female slavery in the past, even the women did not consider their condition unjust, and they were quite as complacent when bought and sold for property as they have been since that time. The same conservative satisfaction with existing conditions is noticeable among many women in the later movements toward a complete emancipation of the sex.

The last two centuries have evolved the general belief that slavery is wrong. In ancient history every person is either a master or a slave, and man has no conception of equal rights. At this day among the rising generation a conception of the mere possibility of slavery is formed with difficulty, so great has been the change in human thought and feeling. A little girl reading "Uncle Tom's Cabin" within the last decade said : "Mamma, is it true that the negroes were slaves, or is this book only a story ?" It is difficult even for people of mature understanding, living only thirty years since the War of the Rebellion terminated, to comprehend the mental condition of able thinkers like John C. Calhoun, Jefferson Davis, and Alexander H. Stephens, when they gravely maintained that slavery was a divine institution, or to understand how the Declaration of Independence could have been signed one hundred years ago without a blush of shame by men who owned slaves, and who afterwards adopted a section of the Constitution which placed side by side in the two great documents of our country's early history these two inconsistent statements :

"We hold these truths to be self-evident : that all men are created equal ; that they are endowed by their Crea-

tor with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness."

"No person held to service or labor in one state, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due."

The sentence from the Declaration means liberty for white men, and the section of the Constitution describes the kind of liberty which the whites proposed to bestow upon the blacks. When the patriots who founded the government of the United States could thus demand liberty for themselves and inflict slavery upon the negro, whom they apparently regarded as a mere animal and not as a man, it is not to be wondered that the progressive thinker should not greatly reverence the deeds and institutions of his ancestors, and should regard with contempt the idolatrous worship of the conservative for established institutions and precedents. The cold-blooded, unsympathetic habit of regarding the negro as property—as a thing like a dog or a horse, incapable of human rights—is so repugnant to our sense of justice in its recent development, that judicial decisions embodying the status of the slaves, although regarded at that time as a perfectly equitable exposition of just laws, impress us now with a feeling of disgust for the tyranny of such opinions and of contempt for that conception of human duty. The people of to-day will not admire the kind of justice enunciated in the following decisions¹ from various courts on human rights involved in slavery, during its history in this country.

"A contract to set a slave free on a certain day, on certain conditions, whether made with the vendor on sale and purchase of the slave, or with the slave himself, is

¹ Selected from M'Clellan's "Republicanism in America."

an executory contract for emancipation, and a specific performance of it cannot be enforced by the slave in a court of law or equity."—18 Arkansas, p. 399.

"A conveyance of land and slaves in trust to allow the slaves to occupy the land and receive the profits thereof, and of their labor, is void."—18 Georgia, p. 722.

"A bequest of freedom to a slave is void, in consequence of his incapacity to take under the will."—21 Alabama, p. 237.

"A bequest of slaves, with a provision by which they may be supported without working like other slaves, is a violation of the policy of the State and void."—3 James' Equity, North Carolina, p. 141.

"Slaves in Virginia were real estate in 1777, and descended to the eldest son."—1 Munroe, Kentucky, p. 25.

A frank consideration of these historical facts should teach us that if there exists any such thing as absolute right or absolute justice in human conduct, the nature of that morality is beyond our comprehension and its investigation similar to our imperfect conceptions of matter, space, and duration. Indeed, we may select any idea or any fact in the universe of thought or human knowledge from which as a starting-point to project our minds in the search for what we call truth, and, sooner or later, we reach the incomprehensible. In space we reach the idea of something which perpetually recedes when we attempt to establish a limit, and in which our minds are lost in the vain attempt to penetrate or comprehend fathomless abysses, from which we return to our relatively minute surroundings with a queer, puzzled sense of our own incapability and weakness. Considering matter, we evolve the idea of divisibility and pursue it downward to what we name atoms; yet we fail to really understand how anything which is at first theoretically susceptible of infinite division becomes in the end either theoretically or actually indivisible. Leaving the infinitely small and attempting the infinitely great, we consider an

illimitable space that is not comprehensible to our understanding, and suppose it to be filled with an equally illimitable body of ether that is not perceptible by our senses, and which is not really within our comprehension more than light to an entirely isolated race of men born blind, or the odor of musk to a vegetable, or sound to a man without hearing and who is without associates to describe the phenomenon.

Abandoning the mysteries of matter for the mysteries of time, we project our minds far into the dim recesses of the past and again into the misty vistas of the future, failing, on the one hand, to conceive anything but an eternity, and, on the other, to really grasp the idea of an existence or duration which has neither beginning nor end. We grant to ourselves, in the first place, the mental ability to follow the stream of time or cross the ocean of space in any direction and to any point or date, however greatly it may be removed from us, yet when our minds reach the station assigned, there is always something beyond ; and, at the end of our ineffectual investigations, the really earnest searcher for truth is compelled to admit that he cannot be sure, with the limits set to his mental conceptions, whether the universe, as he beholds it, is an illusion and " the baseless fabric of a vision," or whether the world about us has a real existence outside of our own minds, and the portion which we see and understand is only a minute fragment of the greater world which would be revealed to us if our sense perceptions and our understanding were developed so as to make known to us the numberless hidden mysteries that surround our existence. The universe of the earth-worm or that of the blind fish of the Mammoth Cave, perceived by the limited sense development of these creatures, is plainly not the universe conceived by human beings. The world revealed to civilized man

is not exactly the world perceived by his savage ancestors. What, then, would the universe become if human beings possessed thirty senses instead of five, or even if they possessed a sixth sense ; and, on the other hand, what would it become to a man deprived of his five senses without destroying his life ? The great problem of the real nature of the universe, and the questions, what is man ? whence does he come ? whither does he go ? are not easily answered. The reverence and humility with which a really great man approaches such subjects are grandly displayed in the words of the distinguished scientist prefixed to this chapter. It is often genuine wisdom to understand when to acknowledge that we do not know.

Let not weak humanity, therefore, become foolishly dogmatic in the declaration of eternal verities, for we know not. There may be neither matter nor motion except in our own illusions, and there may be a thousand realities surrounding us which we, poor earth-worms of a larger growth, are unable to perceive or comprehend. Thus it is in our conceptions of justice.

Of absolute or ultimate justice between men we can form no real conception, for our minds are limited by the slow development and progress of the race, as the sense-perception of an animal is limited by its position in the scale of existence from the infusoria to man. To some of our ancestors cannibalism was right ; to others, farther advanced, cannibalism was wrong, but slavery and infanticide were right ; to men existing in the final decade of the nineteenth century all these former customs of the human race appear wrong. May it not be true that some of the customs which appear entirely just to men of the present will seem vicious, cruel, and barbarous to their descendants ?

The candid thinker will be forced to admit, after a care-

ful consideration of history, that in the past men have never had more than a dim comprehension of justice, which has brightened as they approached the present, but which is, almost certainly, still enveloped in the mists that surround an imperfect understanding in its development from a condition akin to the mind of a brute to a finality which may approach to the perfection of a God. The justice of to-day is not the justice of yesterday, and it will not be the justice of to-morrow.¹ Justice is a sentiment which depends upon the progress of the race; and, as any human being will regard it from the moral condition of his own development, no rules can be deduced from investigations into ethical principles that can ever be of value as a guide to humanity, for our ideas of right and wrong will change as we progress, and our habits and customs, our other social institutions, our governments and our religions will change with them. The justice of the past is made up of exploded doctrines and abandoned ideas. The justice of the future is a mystical heaven that may be seen dimly in visions by the prophets of to-day; but this heaven on earth is no more comprehensible to the masses than the docility of the modern carriage-horse was perceptible to his three-toed prehistoric ancestor. The justice of the present is merely that average condition of the human intellect to which men have been brought in their onward progress, and by which they judge their

¹ Few writers on social questions display as much conception of the real power of moral progress as Winkelblech—"Carl Marlo"—one of the fairest and most comprehensive thinkers upon modern conditions. Benjamin Kidd in "Social Evolution" attributes to religion the power that effects social transformations. In the ordinary definitions of religion and morality, however, the former is merely the effect of the latter, and it changes with the developing intellect and morality of the people. The gods of every race of human beings are creatures and not creators. Somewhere in his great work Buckle wrote, "In what may be called the innate and original morals of mankind, there is, so far as we are aware, no progress." Morality is difficult to define; but if human beings of the present are more moral than gorillas or tigers, Buckle's observation is not true.

social relations and pronounce them either good or bad.

Men, if we may suppose that the progress of humanity tends upward, have inflicted and defended wrongs in the past, because they did not know those wrongs existed ; for to their deficient intelligence and moral sentiment, wrong was right. Periodically in the lives of nations a time comes when the minds of the people cease to admit that some principle is right, and out of this doubt grows the conviction that it is a wrong.

New ideas are born, and, like all births, the inception of new life brings pain. Spasms marked the transition in France when the divine right of king and nobles became, in the minds of the people, a diabolical wrong.

Convulsions in the United States thirty years ago almost destroyed the nation, when its people ceased to think that slavery was right for the black man and that only whites were justly entitled to freedom. Discontent and disturbance among the people invariably accompany these changing thoughts and herald the approach of that outward transformation in their declarations of justice, denoted by a change of social institutions.

Year by year, slowly and steadily, the real change goes on in the minds of the people, transforming their ideas of right to a conception of wrong, till a day comes when they feel that the political and social institutions they have accepted from their ancestors and revered as the acme of justice are really the enunciation of injustice.

Entertaining this opinion of social progress and the nature of justice, I shall avoid all attempts to analyze the moral sentiments or to indicate any conception of the real attributes of political and social justice. Any effort of that kind would inevitably be barren of immediate influence, because it would merely represent the writer's conception of justice, and would be neither absolute

justice nor the average conception of justice entertained by humanity of the present.

Truth, it is said, lies at the bottom of a well. Absolute justice, therefore, which is merely a portion of the illimitable, eternal, and unknown truth that forms man's environment, is to be found in the same place, and when curious investigators lean over the well-curb and peer curiously downward to discover the real nature of justice, they see merely their own reflections upon the surface of the water, while absolute justice remains concealed in its depths. The greatest philosopher of the nineteenth century has not really discovered justice in his treatise bearing that name, but the well into which his mental vision was projected has thrown back only the image of Herbert Spencer's mind.

Such is now the inevitable result of those investigations, and the future seems likely to be equally barren. The slow progress of the race continually brings into our minds new and better ideas of human duty, and a clearer comprehension of the adaptation of earth to our needs ; but of the real mystery—the absolute nature of man and his environment, and the absolute justice to which his conduct should conform—we know nothing. The endless discussions of mental and moral philosophy leave us at the end of two thousand years' consideration of these problems in quite as much doubt concerning the verities of man's origin, existence, environment, and destiny as ever vexed the minds of the first heathen philosophers. Regarded as mental gymnastics, the discussions may be useful ; they bring into every mind kindly toleration for every belief, and they are the natural result of man's longing for universal knowledge ; but as a means of improving his condition or contributing to the real progress of the race, they are barren of result. In the language of Macaulay, we are walking on a treadmill whenever, by the ordinary

methods of logic, we inquire "what is the highest good, whether pain be an evil, whether all things be fated, whether we can be certain of anything, and whether we can be certain that we are certain of nothing." We revolve in our minds a thousand times the same inquiry and the same argument, but our investigation eventually terminates with the same uncertainty.

Whenever man has tried to estimate the infinite by the finite, he has been compelled, sooner or later, to lay down his measuring rule, no matter how great its length in terms of human ability, and to confess at last the impossibility of his undertaking. Therefore, in the ethical discussions contained in this volume, there will be no attempt to formulate undeviating principles for the guidance of humanity. There will be no appeals to a mystical and unreal justice of the future, but merely a comparison between the different social institutions of the present, showing wherein some of those we maintain are inconsistent with that spirit of fairness or justice which we have already applied to others. Social institutions are never changed evenly all along the line, and as our forefathers of the Revolution inconsistently declared that all men should be free and independent, while at the same time they owned slaves, so it will be found that the people of the present day are equally inconsistent in maintaining tyranny in one place while they deny identically the same principle in another. The only appeal will be to that sense of right and duty which men now usually recognize as fit to govern their actions, a feeling which will confer upon every human being ultimately the "natural right" to a more equitable existence than has ever been conferred in the dark history of the past.

Man's natural rights have their origin in the mind of man himself, and his conception of them will change from century to century; but the very practical and well estab-

lished fact remains, in spite of this shifting, changing uncertainty as to the real nature of his rights, that at any period in his career, for those particular privileges which he then considers natural rights, he will fight like a demon and shed the last drop of his heart's blood. Of their origin he may be uncertain, but of their existence he feels quite sure. The determination of these rights, according to ideas commonly accepted in the present advancement, involves a comparison of existing institutions and principles sanctioned by the approval of civilization, for men often admit in one instance a principle which they deny in another, following the absurd example deduced from the early history of this country. The same inconsistency exists in the declarations and institutions of the present; and the appeals which the writer expects to make will urge men to apply to all social institutions the doctrines of right and wrong which they have already, in recent years, applied to a portion of them.

CHAPTER VIII.

DEAD MEN'S TYRANNY.

"Can the poor man cultivate the earth for himself? No; for the right of the first occupant has become the right of property. Can he gather the fruits which the hand of God ripens on the path of man? No; for like the soil, the fruits have been appropriated. Can he draw water from a spring enclosed in a field? No; for the proprietor of the field is the owner of the fountain. Can he, exhausted by fatigue and without a refuge, lie down to sleep upon the pavement of a street? No; for there are laws against vagabondage. What, then, can the unhappy man do? He will say: 'I have hands to work with, I have intelligence, I have youth, I have strength; take all this and in return give me a morsel of bread.' But even here the poor man may be answered, 'I have no work to give you.' What is he then to do?"—LOUIS BLANC.

EVERY man who bequeaths property is a tyrant on his death-bed.¹ The aggregate tyranny of men in their dying

¹ A Virginia colonel, who died about twenty-five years ago, in Amelia

moments has caused more misery throughout the world than all the oppressions of its political rulers, for when unavoidable hunger and cold afflict human beings within the sight of unearned comfort and plenty, do not these beings suffer the tortures of the damned? Yet, while inflicting the tyranny of the death-bed over surviving humanity, men have been almost uniformly praised for possessing the highest virtues in thus providing a store of wealth for direct posterity. The edict of the death-bed is unconscious tyranny, and sorrow instead of anger must be the feeling which it merits from the demands of progressive justice. Society will outgrow this form of wrong as it has already abandoned the horrors of cannibalism and slavery, but man's innocence of intentional wrong and his imperfect conception of human duty do not lessen the inevitable afflictions that follow his unconsciously evil acts. The slavery of the disinherited to the masters of wealth succession, with all the degradation, among the masters, of idleness, pride, profligacy, cruelty, and corruption, and all the degradation of ignorance, coarseness, brutality, resentment, and destructiveness among the slaves, may be observed at the present time in every civilized nation quite as distinctly, in spite of the ameliorating effects of education and progress toward democratic government, as in the history of negro slavery in the United States. The essential feature of negro slavery on the part of the slave was the inheritance of subjection and the absence of opportunities; on the part of the master, it was the inheritance of power and privilege, unearned by any efforts of

county, demanded, under penalty of cutting off from all his possessions, that his widow have him put in an open coffin in a clump of woods near the house, and leave him there for six weeks. Every morning and evening of that time she was to come to him and brush his hair and whiskers. Luckily the colonel shuffled off his mortal coil in the middle of a very cold winter, so he "kept." His widow was able to carry out his wishes, therefore, and came into all his property.—*Current Newspapers.*

his own. If some men had not been born slaves and others born masters, slavery would have extinguished itself. If some men were not born slaves and others born masters under the doctrines of heredity and succession that are still maintained, the world would not be in a ferment of excited thought with impending revolution, peaceful or bloody, in every civilized nation. In the advanced ranks of humanity, it is now universally denied that the king's son shall be king, independent of his own qualifications, merely because his father held that power. In England and Germany the thrones are already shaking, and it is only the fact that the power of the sovereign has been closely restricted that prevents the immediate transition to democracy. Similarly, in considering the wealth-power of the world, it will soon be denied that the son shall possess wealth because his father did, irrespective of his own ability and efforts. It will also be denied that the son of a poor man, whose poverty may or may not have been due to lack of energy and ability, shall on that account inherit not only the poverty of his ancestor, but the lack of opportunities for his own efforts, and subjection to unmerited power conferred upon those who have succeeded to wealth. It cannot be too frequently repeated that the wealth-successions of the present mean aristocracy among a portion of the people; that aristocracy among a portion means serfdom among the remainder; and that a society composed of masters and slaves, no matter how that condition be established, can develop only discontent and warfare. A few men cannot own the earth and leave other inhabitants free citizens. The accident of birth is no justification for the claim of property. Our tyranny may be unconscious wrong, but if God holds men responsible for the wrongs that have been inflicted in the past, heaven will not be densely populated by our ancestors.

So far as the ancestor is concerned, his rights, natural, though not legal, terminate at the grave. When he is done with this world, no matter what disposition is made of his property, the result cannot affect him. If he leaves a palace, it may be blown up with dynamite and he loses nothing. If he leaves a ship, it may be sunk or burned and he does not suffer. His wealth may be given to one or given to all, or absolutely vaporized in the form of what is named destruction, and the result affects him not a particle. A dead man has no rights. The ancestor cannot justly control the disposition of his property one instant beyond his own existence, nor rightfully transfer it when he regards his dissolution as immediate and inevitable. No descendant has any special or exclusive right to the wealth of decedents, beyond a right that may have arisen from his own efforts in producing such wealth, or from the natural claims of helpless infancy, acknowledged by the higher types of the brutes as well as by man. In all the history of successions, one or the other of these privileges has been acknowledged by society. The ancient rule made the descendants natural successors; the modern laws make the ancestor a dictator beyond the grave.

Efforts have been made to compromise or balance these conflicting claims, but in all of the laws heretofore enacted, the doctrine has been approved, that if one man can gain possession of any part of the earth and establish a claim to it, equitable or inequitable, among his contemporaries, the future right of use or occupancy of that particular portion of the earth does not exist anywhere outside of that man or his blood relatives or his legatees. Theoretically, his possession might be the United States of America at a period when he was the sole inhabitant, and his descendants or legatees at the present time could legally own the entire territory in spite of the existence,

needs, and rights of nearly seventy millions of other people inhabiting the same territory with them after the death of the original claimant. Practically, the doctrine of wealth heredity involves the control of large portions of every city in the civilized world by men who never did anything to entitle them to such power, and who owe their position to the accident of birth. Their ancestors happened to secure tracts of land which became valuable by the progress of society and the existence and needs of other men born after their decease, and the descendants retain possession of them as though equitable or inequitable relations of the present exist between the men of the past, dead and mouldering in their graves, and not between the sentient human beings of an actual earth-occupancy. The real question of property-rights is not what any ancestor, dead, dusty, and forgotten, may have done to acquire a claim to any portion of earth, but what the proposed successors of the present owners are doing, or are likely to do, to establish a just control for themselves among their contemporaries. The origin of all existing land titles is to be found in theft, so far as history reveals, and how many times that form of wealth was stolen, or how many robber-owners existed before history was written, only the mysterious Spirit of the Universe can determine. The lands of Europe were taken by robber-hordes, and the lands of America were stolen from the Indians, the Indians, themselves, probably, having dispossessed other races existing before them. The origin of titles need not concern us; for no title to earthly possessions, whether justly or unjustly acquired, can rightfully extend beyond the existence of its owner or be transmitted to a successor. It matters not whether our ancestors were thieves or honest men; the earth must be equitably devoted to the uses and objects of existing human beings, and this principle extends not only to land, but to all other forms of

wealth into which land has been transformed. Whenever we admit that self-effort is the foundation of a just claim to wealth, the doctrine of wealth succession becomes a lie.

Believing those doctrines of succession to be not only unjust, but their continuance a danger to society in its present status, the author has selected wealth-heredity as the indefensible point in the present privileges of property, for it can be defended only by assuming that whatever a man owns once he owns forever. The reader will desire to know, however, what principle can be substituted for those now recognized in the distribution of the property of decedents. Exact justice is beyond human laws, but we can, at least, adopt laws not so grossly inconsistent and unfair as the present statutes relating to successions. If the dying man has no right to dictate the use of any part of earth beyond his existence, we should abolish the privilege of bequest. If the descendants, or other relatives, have no right of succession beyond what is developed by their own efforts or assistance in producing the wealth abandoned by the dead man, that fact should be taken into consideration by society in determining the distribution. The power of determining the future use of a fortune should rest neither with the dying man nor with his relatives, for society in general is concerned in the result. Neither the tyranny of the dead nor the false claims of the living should be recognized. Mere consanguinity should count for nothing. Friends often assist decedents during their lifetime more than distant relatives help them. The succession of individuals in any way to great bodies of unearned wealth should be prevented by restrictions upon its transmission from one generation to the next under the form of private ownership, and what is essentially the accumulation of public effort should go back to public control at the expiration of every lifetime.

Accordingly the privilege of making wills should be abolished, and a maximum limit should be set, first on the aggregate amount of wealth in one estate to which individual heirs might succeed ; second, to the amount of wealth that any one person might inherit from that estate. Within these limits, the decree of a court should make the distribution of inheritable wealth in accordance with the written testimony of the dead man, left in place of a will, and the oral testimony of survivors relating to the merits of any claims in the estate. Practically, the courts of the United States are already approaching this view of successions, except in limiting the individual succession, for the wills of wealthy decedents, under the pleas of technical invalidity, undue influence, and insanity, are so frequently broken that they have ceased to be really much more than testimony concerning the dead man's ideas of an appropriate distribution of the property. The decisions of juries and courts in wealth-successions are now involved in a chaos of inconsistency which will become worse instead of better until new principles are established.

All wealth beyond the inheritable limit set by law should escheat to public ownership—in this country to the United States government. Every large fortune in the nation, like those accumulated by Gould, Vanderbilt, Rockefeller, or Astor, is made indirectly by minute contributions from the life-efforts of every other inhabitant of the country, for without the existence of those people no such fortunes could be possible. It seems just, therefore, that at the expiration of a Rockefeller's existence, the fortune thus stored by the people and placed under his control, should go back to its real producers, to be used in meeting governmental expenses, rather than descend to individuals who have no real claims upon its possession, and whose luxurious use of wealth breeds all

the vices of aristocracy and the envy and ill-will of those not receiving such special favors of wealth obtained without effort.

Owing to the fact that the children of moderately wealthy families usually assist their parents in the production of the family fortune, the entire obliteration of inheritance would be unjust, for the right of a producer to life-possession should be maintained and protected, no matter where it exists. The evil of our present laws is that they protect the possessions of men who do not produce anything by either mental or physical effort, and extend the control of wealth beyond the just limits of a lifetime. All that the dying man can justly claim is possession till his death and the right to testify relative to the assistance he has received in the production of the fortune. All that any survivor can justly claim as a special right is the wealth that he has produced by his own efforts. It rests with the community, therefore, to deal justly with the distribution and to claim what is not equitably to be placed under the absolute control of special successors.

As nearly every man expects to leave some property at his death, it may seem absurd that any writer should gravely ask men to restrict their own privileges by abolishing bequests, but all transformations in society are accomplished by moral changes in the minds and hearts of the people. A hundred things which the people of preceding eras considered right, are denounced as wrongs by the people of the present. Primitive man is an unmitigated tyrant who loses his tyranny as the centuries roll by. He has retained the "tyranny of the sepulcher" to the present, but even that will disappear, like the privilege of entail, which was only a more conspicuous form of the same tyranny.

The confusion of thought in the consideration of suc-

cessions, and the contradictory emotions that it evolves, are due to the fact that every man in a continuous line of descent is both ancestor and heir. Standing in the midst of time, he can look backward at the generations that have preceded him, and forward at those to come. He inherits from those before, he bequeaths to those who follow. If he would comprehend his natural rights, his duties, and the rights of other men to the end that justice shall be accomplished, and social reforms be instituted, let him give up forever the idea that he must dictate the disposition of his life-possession when he departs from earth. Let him view society and form his judgment of its rights and wrongs when, as an adult, he enters the lists in competition, and not when he has completed his race, whether successful or unsuccessful, and is leaving those lists forever. Let him look backward when he commences the contest of life to see whether the generation preceding him has permitted him to achieve a fair opportunity for success, and let him look forward to his successors and inquire whether his own acts will leave to them the justice that he demands for himself. Let him remember that as a dead man he can retain no further rights in this world, and let him cease his unjust attempts to control the disposition of his property after he is gone by binding his survivors with a will. Let him consider what he would like the world to be when he comes into it, and not what personal favors he would like to bestow as he goes out. We cannot be tyrants during our existence and leave good government and safe and equitable institutions behind us. Every man must choose between the retention of tyranny to gratify his own wishes on his deathbed, at the risk of leaving dangerous social conditions surrounding his offspring, and a voluntary relinquishment of the privilege of making bequests, for the sake of just laws and a stable government. It may be

better, especially under the present social conditions, to leave to the children of affluent parents, limited wealth and less dangerous surroundings, for in certain social crises wealth ceases to be a protection and poverty becomes a shield. The guillotine has touched even the neck of royalty.

Even if bequests are not entirely abolished, they should nevertheless be limited, and closely limited, too ; for no trifling with wealth by any slight taxation of incomes or inheritance will allay the fever that is already excited in the veins of the people. The taxing of inheritances, commenced fifty years ago and developed by increasing rates, would have kept down the denunciation of injustice ; but it is too late for merely palliative measures. If no radical reforms be accomplished by legislation, it is to be feared there will be radical reforms without legislation—at least without legislation until after the real reforms are effected. Much good can be accomplished by the limitation of bequests, even if the power of designating the special successor is not taken away from the decedent, and a severe limitation, enforced by an approving sentiment from the people, will gradually remove the dangerous aspects of our present centralization. The exact maximum limit of inheritance is not a matter of prime importance, and can easily be established whenever people admit generally that limitation is just.

CHAPTER IX.

EARTH FROM A DISTANCE.

"Every age and generation must be as free to act for itself in all cases as the ages and generations which preceded it. The vanity and presumption of governing beyond the grave is the most ridiculous and insolent of all tyrannies. Man has no property in man; neither has any generation a property in the generations which are to follow. The parliament or the people of 1688, or any other period, had no more right to dispose of the people of the present day, or to bind or to control them in any shape whatever, than the parliament or the people of the present day have to dispose of, bind, or control those who are to live an hundred or a thousand years hence. Every generation is and must be competent to all the purposes which its occasion requires. It is the living and not the dead that are to be accommodated. When man ceases to be, his power and his wants cease with him; and having no longer any participation in the concerns of this world, he has no longer any authority in directing who shall be its governors, or how its government shall be organized or how administered. Those who have quitted the world, and those who are not yet arrived in it, are as remote from each other as the utmost stretch of mortal imagination can conceive; what possible obligation then can exist between them, what rule or principle can be laid down, that two nonentities, the one out of existence, and the other not in, and who never can meet in this world, that the one should control the other to the end of time?"—THOMAS PAINE.

THE complexity of social phenomena is confusing to those who attempt to trace cause and effect in the multiplicity of transactions in modern life. Public thought on the relation of money to national welfare is an illustration of this condition. The effect of new machinery in first throwing men out of employment and afterwards increasing the wealth of society and the demand for labor is another problem often confusing in the same way. Too frequently we cannot see the forest for the trees, and we cannot perceive that the surface of quiet water is a curve because we see so little of it at one time.

When we stand within a few feet of some huge public building, towering hundreds of feet above us, the very

nearness prevents us from obtaining a clear perception of its form and nature, and we must see it from a distance if we would comprehend its general shape.

So it is with social problems. We must begin with a few men instead of a multitude, and we must place ourselves at a distance from earth, so that we shall not be like the man who is unable to tell what a crowd is doing because he is hemmed in the midst of it.

Let us imagine, therefore, gentle reader, that you and I are transported far into the blue ether, and released temporarily from all the selfish personal interests, bias, and prejudice that are usually a part of existence on the planet we have left behind us. The world revolves beneath us now, and as an aid in our experiments we are armed with a superhuman power of placing men on earth and removing them as we see fit for the purposes of investigation.

In the first place, therefore, let us rid the earth of existing humanity, with all its laws and customs, for they are a queer patchwork of right and wrong established and modified little by little as the race progressed in its development, and what has thus been established cannot be a criterion.

Death, then, to the present inhabitants of earth, and destruction to all their institutions. Off they go from the face of earth as though a huge sponge had washed the helpless mites into the ocean.

Now we will populate the earth with new men at our own will and in our own way. Those whom we place upon earth will not be our relatives, nor our friends, nor even our countrymen. They will be men full-grown and prepared to immediately participate in the struggle for existence. For the present we will omit from human nature the helpless period of infancy, and for our convenience, by the supernatural power with which we have been invested, we will compress the years of man's

natural life into the duration of a few moments. Under such conditions the men whom we place upon the whirling planet will be creatures that can appeal only to our sense of justice and not to our sympathy and self-interest, for, remember, we are creating them and removing them, without being concerned in their progress in any way, except to give each and all of them fair opportunities in the game of life.

Earth is, in our imagination, now absolutely free from human beings and from traces of their former occupancy. We place upon the globe a single man, who is, necessarily, so far as human rights are concerned, the sole proprietor. His title to the earth, whatever it may be in its real nature, is undisputed. He builds a rude house, we will suppose, and gathers some wild fruit. Now we will give him a companion by placing another man in the same vicinity. Immediately upon doing this, we have made trouble in the world, for both men cannot be absolute in the control of earth at the same time, and whenever their fancied interests conflict, a struggle will ensue. Neither man may have any "natural rights" in the sense of a definite decree of nature, for nature apparently cares but little for morality. Nature is absolutely indifferent to human rights or any other kind of rights, and so are men in their earliest development of savage conditions. If our two men contend with one another in a savage state, the stronger will simply dash out the brains of the weaker and become again supreme. But, sooner or later, there comes a time when the units of human life begin to inquire whether they cannot agree upon some rules that will effect a compromise of conflicting interests and prevent the destruction of continual warfare. Thus government is instituted, and then arise what have been termed natural rights, for some principle of fairness to each of those who agree to the compromise

must be embodied in it, or the individuals who instituted the government will go back to the primary brute condition of perpetual strife and the survival of the fittest in actual warfare.

What, therefore, are the natural rights, so far as they relate to property, that should be held by each of the men we have created, if governmental principles are to be established to supersede, to a certain extent, the absolute reign of King Might? Has the first man who appeared upon earth acquired by prior occupancy an unlimited right to the entire planet and all that he finds upon its surface, so that he can justly hold that monopoly after the second man appears, or does he justly exercise a monopoly only while he is sole occupant, and does the new-comer acquire, by the mere fact of his presence, an equal right with the first man in all the natural advantages of earth as a home? In some respects the inquiry appears trivial, but the answer which society makes to it lies at the foundation of nearly all the property rights that now exist. It will lead to the question of whether men have or have not justice on their side when they appropriate the earth absolutely and exclusively for themselves and their direct descendants, merely because they happened to be born first, and hence to occupy earth sooner than other men. Recurring to the condition of our two men who are attempting to establish a basis for fair government, I am willing that my reader shall judge for himself their rights and wrongs, but I think he will inevitably conclude that mere priority of occupancy can never establish a just right to the earth or any part of it, for if we concede that the first of our two men has acquired any such right, then the second man becomes his slave; for he must serve the first before he can have an opportunity for existence. Right based merely upon priority of occupancy, then, is a claim that slavery is just. In addition

to this, there is no comparative merit whatever nor human effort involved in being born, so far as the individual thus brought upon earth is concerned, and on that account, he can claim nothing on account of prior occupancy alone. Men do not come into the world because they wish to go there, nor do they strive for that result, but they appear on account of causes which are entirely independent of their own volition and beyond their control.

No credit and no blame, therefore, attaches to any man because he came into the world sooner or later than his fellow, even if the difference in time amounts to a thousand years, and hence there can be no such thing as a just appropriation of any part of earth by priority of occupation by birth, for the element of superiority of knowledge or effort which backs such claims in the competition of life is entirely absent. There can be neither competition nor right of appropriation attaching to men in being born, because no power, no volition, no control over the beginning of existence is possessed by them.

Men have to come into the world whether they wish to do so or not, so they can claim no credit for priority of birth and establish no rights from that fact. So, in the little problem before us, it seems fair that when the second man appears in the world, no matter whether he arrives ten seconds or ten years after the first, he immediately acquires by his mere presence and existence an equal right with the first in all that part of the earth to which the labor of the primeval inhabitant has not been applied. When the first man has worked to gather his berries or to build his hut, he thus acquires a better right to them than that of his companion, but their rights are and must be absolutely equal in all of earth that is unchanged by labor; for any other supposition would subvert justice by making one the slave of the other. Without labor neither can have any better right than the other to earthly possessions,

and mere occupancy can establish no just claim for either ; but the instant that one of these human beings works upon any definite portion of his surroundings to improve it for his use, that instant he acquires a superior and exclusive right to its possession, which any disinterested observer capable of comprehending self-evident truth, would assist him to maintain and defend.

Thus these two inhabitants of earth exist, and the natural rights of each can be perceived so easily by a candid and unprejudiced observer, that they are almost self-evident. When, however, do those rights terminate? There can be but one reply, for such rights relate to man's life on earth alone. Before man's appearance on earth he possessed no rights of any kind in its substance, and he can retain none when he departs.

Human rights of all kinds perish with their possessor. Granting that each of our two men has constructed a house, is it conceivable that he could justly place one man of a succeeding generation in absolute control of it, or debar another man from occupying it by any continuance of his own right beyond his own lifetime? We will create more men and investigate, but first the earth must be cleared again and a new generation of ten men established. When these arrive upon the planet they find earth, air, and water ready to afford them sustenance, and perhaps they discover a few huts and implements left by their two predecessors. What are the natural rights of the ten men? Are they different because there are ten men instead of two, or because the earth was occupied before they came? Who now ought to control the land, the air, the water, and the former possessions of earlier inhabitants? It is self-evident that the conditions are not changed except by an increased population. The ten men have equal rights to use all that nature provides for them and all that is left behind by the former generation, includ-

ing the tools and huts of their two ancestors, because the rights of the primeval inhabitants expired at their death, and the rights of the successors begin equally. The private, or special, or exclusive right of each man, as distinguished from his equal or general right, can begin only when he has produced something by transforming its original condition by the application of his own labor. Exchanges may be made later on, but the primary right is derived from the application of labor.

Suppose that our ten men by mutual consent agree that each shall take and use a certain definite part of the earth's surface, and shall thereafter seek his subsistence from that portion alone. The arrangement is equitable, and if the ten men are fair samples of existing humanity, it would be the only feasible plan under which they could peaceably exist. Now that the distribution of their territory is accomplished, however, one of the men dies.

What are the natural rights of those involved in the occurrence? Has the dying man a right to select his successor in the one-tenth interest that has been set over to him by the division, or, if he has built a house, has he any moral or natural right to designate the man who shall occupy and use it after his death? We will permit him to use that power and note the result. If one of our ten men should be very amiable and popular, and live to old age, as good-natured men frequently do, the existence of such a privilege would by successive deaths and successive bequests to this individual lead to the queer result, after eight men had perished, of two men inhabiting the earth under what we assumed to be equal rights, and with equal efforts and ability, yet one of them owning nine-tenths of the world and the other only one-tenth. This result is exactly the kind of demonstration that modern society is making of the supposed equal rights that lie at the foundation of our institutions.

I do not believe that any man of those ten inhabitants, or any of the real inhabitants of earth, possesses a natural right to bequeath, and he cannot be invested with any such privilege without destroying the equal rights of the survivors. No man, when he dies, can even rightfully decree the disposition of the house that he has built ; for if, in expectancy of death, he has the natural right to bequeath it to any person, he has the same right to withhold it from all persons.

Therefore, if nine of our ten men should become misanthropes and declare at death that no survivor or successor should possess their houses, the sole inhabitant of earth then remaining would eventually find himself surrounded by ten houses, with the privilege of occupying only one, and, if that should accidentally be destroyed, he would be the sole proprietor of earth, and yet homeless in the midst of unoccupied homes.

In the problem of our ten men, if the dying man has no right to bequeath his possessions, and cannot do so without inflicting injustice, what are the rights of the survivors when he dies? After the first man's death there remain nine survivors, and there can be no reasonable doubt that each man owns—so far as man *can* own—one-ninth of the earth. They are equal heirs to all the possessions of those who leave the world before them. In establishing this elementary consideration of inheritance, I purposely leave out of view all relationship, love, and friendship, because the existence of government cannot be based upon those sentiments. Justice between man and man independent of blood affinity is the only safe rule in modern civilization, and the sole question is : “What is best for men to do in order to maintain equal rights?” In our own republic, if this inquiry is not made and no solution afforded, men will eventually destroy one another in a physical instead of a mental effort to de-

termine their natural rights, quite as ferociously and far more expeditiously than they have ever done in the past. Parental affection, while it is one of the strongest sentiments of human nature, is yet common to all animals of the higher types, and it is no more fit to be made the basis of property-rights than the sexual passion or the greed of the miser. The distribution of the property of decedents is not a matter of charity and affection, but a question involving justice. For centuries men have shed tears around the deathbed, and those tears have blinded them to the bitter wrongs perpetrated in the name of institutions which they deemed beneficent, if not divine. Whenever justice is sacrificed on the altar of the affections, the world suffers. Inheritance is not a mere matter of respect to the dead nor a deferential execution of the dead man's wishes. If the dying man is blind to justice by his love for his children, the children are also frequently as blind by affection for the parent. The execution of his wishes to the letter is often considered a duty, even where those requests are unreasonable. Two questions bearing upon these relations need consideration. Has a dying man any right to have his desires executed, and have the survivors any right to refuse or to limit those requests? I say, emphatically, that the earth must ever be controlled by the desires of those who survive in it, and not by the wishes of those who are dead.

In the case of earth's ten inhabitants, still before us, the dying man possessed no perpetual control over his tenth interest nor in the productions of his labor, but only possessed a right to use them during his lifetime. Having no right to them beyond his life, he could not delegate to any other man powers and rights that he did not possess at the instant of his death. When a human being dies, no other person can justly acquire any claim to the estate, except by the conceded right to existence in help-

less infancy, by the right which enables him to participate in the estate through the previous application of his own labor, or by the equal right that all survivors under the same governmental institutions possess. All disposition of the property held by decedents is the sole province of the survivors ; not of a few survivors, but of all who are associated under the same government. Thus, in the progress of our ten earthly inhabitants, the dying man abandons all claims, and the just settlement of his estate is to be determined by the nine survivors—not by himself.

If the labor of any other man forms a part of the wealth left behind, he has a special claim upon the estate to that extent, but under no other circumstances can he have more than an equal right with his associates in the property of any decedent.

Whenever any transaction becomes of such a nature that it serves to treat any man's right to property as a perpetuity and to link it absolutely from one generation to the next in defiance of the natural rights affected in that way, it is contrary to the public good and dangerous to the stability of society.

We will restore our ten men to earth again and afterwards admit another. What are the natural rights of the new-comer? Because the ten have appeared first, and because they have made a division of earthly advantages among themselves, is this man arriving later to be excluded from every opportunity for existence? Or, suppose we admit ten men after the first ten have occupied and apportioned the earth. Have the first ten all the natural rights to property, and the others none?

Only a distorted and diseased mind, dwarfed by prejudice, can doubt that the rights of all are equal, except where labor has been applied. When any number of men arrive by birth they have equal rights with the ten original inhabitants in all that nature provides for their

comfort. Simple and self-evident as this principle appears when presented in this elementary form, it is entirely disregarded in the laws of every civilized country in the world at the present time. New men arrive on earth every day, little men, it is true,—helpless infants in their mothers' arms,—and they are able to secure not even the shadow of equal rights, nor any interest whatever in the natural advantages and opportunities that earth affords. Slavery is their lot, unless some ancestor has left them estates.

When these little people approach manhood and begin the struggle for existence, they find the land appropriated and held under private ownership. They find all the buildings and tools provided and left behind by the previous inhabitants controlled and monopolized, so that they have literally no interest in earth, nothing to eat, and no place in which to rest, unless they first bargain with the men who have deprived them of their natural birthright.

Before these new inhabitants can till the soil, they must rent it of another man. In order to obtain tools they must hire them, and both land and tools must usually be secured from people who inherited them, and whose natural right to them is, therefore, no better than that of the disinherited men who must pay for their use. Handicapped in the race of life in this way, harassed and hindered by injustice, robbed by the necessity of paying land rents and interest for hired money to the favored class who have never earned it, is it wonderful that in every old and densely-populated country of the world, the man who is born in poverty remains poor all his life?

Is he likely to secure wealth or even comfort when he is compelled by the tyranny of inheritance to support by his own labor the wealthy idlers who are parasites upon his existence?

Let us now give to our ten inhabitants an imaginary

intelligence greater than they have hitherto possessed. Having allotted the earth among themselves in equal shares, and lived a good life, they feel that death is approaching. Each man knows that a new generation will people the earth, and we will suppose that, in some way, it matters not how, he knows the people who are to succeed him, and has a favorite among them. Accordingly, as death approaches, each of the ten gathers into his rude dwelling the wealth he has accumulated, and posts a notice on the door, declaring that all his wild land, all his cultivated land, and all his various labor products shall be owned and controlled by one specified individual of the coming generation. Death then claims the ten ancestors, and the successors, numbering one hundred men, come upon the scene, prepared to enjoy their equal rights. Will they not be astonished to discover the ten notices posted by their predecessors, whereby ten of their number inherit the entire earth, according to the existing theory of bequests, and the ninety other men are compelled to dance around the edges of the estates thus absolutely bequeathed, in the vain effort to find where equal rights begin and where they terminate?

Would you, my reader, under such circumstances, recognize the decree of the ancestors as being just, or would you claim that, as one man among a hundred, you must have an equal opportunity to live and prosper with every other man?

“But,” the objector will reply, perhaps honestly, perhaps dishonestly, for all kinds of motives, selfish and unselfish, will influence men when the privilege of bequeathing property is attacked, “all this kind of illustration and reasoning is sheer nonsense, for men do not come into the world in this way by twos, and tens, and hundreds.”

Very true; generations do not live and die as absolutely

separate and distinct entities. Men are born and men die every day, and the generations are to a certain extent intermingled, but these facts make no real difference in the nature of the wrong, and merely tend to obscure it, so that men do not at first perceive its real extent and significance. The essential fact remains, notwithstanding the intermingling of generations, that at a period in the progress of society one hundred years later than any date that may be selected for observation an entirely new population inhabits the earth, or any country that may be chosen as an example. Some of these new people have, in the meantime, inherited the most desirable portions of whatever division of earth has been selected for investigation, and these heirs retain possession and absolute control of their wealth and of the natural opportunities to acquire wealth under the absurdly unjust principle of bequests, which enable them by the tyrannical decrees of their forefathers to domineer in idle luxury over those unfortunates who have inherited nothing either in wealth or opportunities from preceding generations. By the gradual and indefinite succession of generations in this way and the unjust method of transmitting property rights from ancestor to heirs, the aristocracy and the serfdom that have always existed in every country after the lapse of a few centuries of stable government, and which are already beginning to develop in the United States from the same causes, are inevitably evolved.

The only differences between our supposed condition of men on earth and their real condition are :

First—That the actual number of men is much greater than the supposed number, and they are divided into nations instead of uniting in the occupancy of the entire earth. These facts do not affect any deductions we make from the inspection of our ten inhabitants, for just principles established among ten people will remain just

principles when applied to ten millions, for mere numbers cannot change right to wrong. The division of earth into countries need not produce any confusion of ideas, for, so far as government is concerned, each country is a little earth for which separate and distinct laws can be made.

Second—That consanguinity exists in the real world between men of the same generation and between men of different generations. In the world that we populated and depopulated by an imaginary supernatural power, our human beings were not related, but succeeded one another spontaneously, or as we directed their existence. In the real world the development of new existence is quite differently arranged ; but is there any real variation so far as the principles of justice are concerned? Those principles of right and wrong between man and man on which the stability of society must eventually depend are not affected by mere relationship. Right is right and wrong is wrong between men, whether they be father and son, or brothers, or merely strangers.

Property rights cannot be justly based upon consanguinity, and blood connection alone confers no merit upon a claimant ; for, so far as his own efforts are concerned, consanguinity is purely an accident. The father may be prudent, far-seeing, energetic, and abstemious, but these wealth-producing attributes do not entitle the son to inherit his wealth, for each man ought to be the architect of his own fortune. No matter how wealthy the father may be, the only rights the son can justly claim, except on account of helplessness, are the equal right as one of the community and the special right that arises from the application of his own labor. To give any man wealth merely because his father happened to be wealthy is neither more wise nor more just than to hang another son because his paternal ancestor was a murderer, or to imprison him because the latter was a thief.

Property rights cannot be justly conveyed by the transmission of blood. The real reason why sons often have justly a special interest and right in their fathers' estates is not from the mere fact that they are sons and of the same blood, but because in family association they assisted in the production of the wealth which remains in their fathers' possession. Their right, therefore, is not different in its real nature from that possessed by any other person who has assisted in the production of the same wealth, no matter whether relationship exists or not. Children usually imagine that consanguinity confers upon them some special right to the estates of their parents, but the real rights which they possess come to them only through their own efforts and production. Even the most thoughtless observer cannot fail to note that the position of the child who abandons home at the age of ten years is, so far as rights to the property of the parents are concerned, quite different from that of the son or the daughter who faithfully assists them in the development of home wealth; and a little careful reflection will develop the truth that it is invariably personal effort and not consanguinity that establishes any just special claim to the property held by our ancestors.

Third—That the results of personal effort by members of one generation are frequently mingled with the results of like effort by men of a preceding or succeeding generation, and that society imposes on the individuals of one generation the care and sustenance of certain individuals of the next, and decrees, not quite successfully, that members of the expiring generation during their waning hours shall be protected by their direct descendants. Thus we have the institution of the family and its special co-operation or partnership between ancestors and descendants. The helplessness of infancy and the helplessness of old age constitute the only real difference between the world of

our ten men and the world as it exists, so far as property rights are concerned. Men do not come upon the earth twenty-one years of age, strong and active, and they do not usually disappear in the same physical condition. There is the appealing weakness of infancy, the second childhood of senility, and the mutual loving protection that usually exists within the family circle between parents and children, which in its perfect development is one of the noblest sentiments of human nature. The institution of the family is really a sort of partnership in property existing between men of successive generations, in which blood connection is usually involved, but in which it is not an essential feature, for in many cases, by formal and informal adoption, the partnership is effected independently of consanguinity. Were it not for this partnership existing between men of different generations, by which ancestors assist descendants during infancy, and descendants protect ancestors in old age, and by which both frequently coöperate in producing wealth, there could be no serious denial of the equity expressed by an equal distribution of the wealth of all decedents among all national survivors, supposing that to be practicable; for, under such circumstances, no man would have a better right than another to any estate left behind by the man who disappeared from earth. But, owing to the fact that the property rights of one generation are mingled with those of the next, there never can be more than an approach to exact justice in the distribution of inheritance, for the state will, necessarily, have to settle conflicting claims. The rights of the people in general to the wealth acquired and possessed solely by the dead man during his lifetime, will have to be distinguished and separated from those claims to wealth produced by the living in which special rights exist; and the division of the property should be based upon these principles. The existence of these family relations and the com-

munity of family effort complicate the solution of the problem of inheritance, but they in no way affect the truth of the propositions that the ancestor has absolutely no right to bequeath his wealth, and the descendant no right to specially claim what he has not acquired or produced by his own effort. The same conditions are involved in actual life that present themselves in the simple existence of our supposed world, except that the people must distinguish and separate their general or equal rights in the wealth of ancestors from the special partnership rights involved in the institution of the family.

With these principles in view, approximate if not exact justice can be accomplished ; and as human decrees are never exactly just, a slight variation one way or the other will not distress society. Whenever the minds of people settle firmly on the idea that men shall not reap unless they sow ; that a knight must win his spurs before he wears them ; that no man shall possess and control wealth unless he has acquired it by his own mental or physical labor,—then, and not till then, will the dangerous features of inheritance be removed, and society rest upon safer principles of property rights than those which now encourage the development of the destructive bomb and torch, insurrection, rebellion, and the annihilation of existing government. If our imaginary view of an earth populated under different conditions from those surrounding us shall contribute in even a remote degree to the establishment of truth and justice, our journey to the clouds, from which we must now return, will not have been time wasted.

CHAPTER X.

SIX FEET OF EARTH FOR A GRAVE.

"To drop a man in the middle of the Atlantic Ocean and tell him he is at liberty to walk ashore, would not be more bitter irony than to place a man where all the land is appropriated as the property of other people and to tell him that he is a free man, at liberty to work for himself and to enjoy his own earnings."—HENRY GEORGE.

SUPPOSE, my reader, that in a little earth inhabited by a thousand people, the entire land surface, amounting to one hundred square miles, has been divided into four hundred farms of one hundred and sixty acres each, and is owned absolutely by four hundred persons, while the six hundred people comprising the remainder of the population are landless. Suppose that you are born into such a world, without any traditional golden spoon to bear you company in that interesting portion of your existence, and that when you arrive at years of discrimination, if not of discretion, you find the land surface of the little earth entirely monopolized by those who happened to get there first by the same method that you entered the world. Do you think that your condition and future prospects under the shadow of that social land-trust or combination would be particularly enviable, or that you could be very proud of your rights as a citizen or inhabitant of that imaginary earth?

Suppose that the landowners should conclude that all the other people ought to be regarded as trespassers, and having erected barbed wire fences around their property they should politely request you and your landless associates to step outside the boundaries of their estates, do

you really have any very clear idea where you would take up your future residence under such circumstances?

Your supposed condition brings to mind that of some tramps in a western city during the winter of 1894.

Heavy storms had driven the impecunious classes into the city, and some of them being vicious they were considered a dangerous nuisance, so the mayor recommended in the following language that the "saloons be closed at midnight, when their patrons will thus be turned into the streets, and if they have homes they will go home; if they have no homes, the police will arrest them and drive them out of the city."

It does not seem quite right to drive a man from place to place with policemen's clubs, simply because he has no home; and it is probable that my well-fed and comfortable reader, placed under these real circumstances, or under the supposed circumstances that have been described, would complain of injustice, and would, doubtless, incite some kind of a rebellion among the landless six hundred and against the four hundred monopolists. Rebellion in real life on the real earth always arises sooner or later out of such a condition of land monopoly, which, as will be proved hereafter, is not any peculiar monopolization, but only one form of the universal wealth monopoly that is the bane of civilization. It may be predicted, with little doubt in the mind of a man conversant with social institutions, that, unless the evil tendency in that direction is corrected in the United States, it will eventually produce a rebellion as a perfectly natural fruition. On this account, it may be worth while for every citizen to pause for a few moments in his mad scramble for wealth and devote a little thought to ascertaining whether any man has a natural right of access to any greater quantity of land than society is supposed to embody in the universal heritage of "six feet of earth for a grave," even this landed estate

being materially lessened in some instances by burying men in trenches.

The nature of land tenures, land being the most prominent and persistent form that wealth can assume, is at the bottom of nearly all the burning social problems that are being discussed, and the question may as well come directly home to every man in this form :

“Does any man naturally and justly *own* land to which he has acquired a legal title in any way, his ownership being a perpetuity either in his hands or in the hands of successors to whom he transfers his rights, or is his land tenure merely a lease from the community, who are the real owners at any given instant, or from all humanity of the past, present, and future, who are the owners in a more general sense ? ”

That is the question for every man to answer before he can have any basis established from which to reach final conclusions in property rights. Every man must decide in his own mind this question before he can either accept the theory that our deeds justly as well as legally convey land to any man “his heirs and assigns *forever*.” Every man will, doubtless, understand that land is now held under private ownership in every civilized country ; but the question is not what is custom or law, but whether the practice of treating land as private property is just or unjust, and whether human misery from tyranny is produced by the system. We are liable to suppose because we find land owned and controlled in this way when we arrive at an age which enables us to observe and comprehend such things, that it was always thus, and that the system must be right because we never knew of any other. When we remember, however, that millions of men have come into the world and gone out of it profoundly convinced during their entire existence that such customs as cannibalism, infanticide, human sacrifices, wife-slavery,

and all other kinds of slavery, were entirely right and perfectly consistent with the religion and morality of the age in which they were practiced, it may not be to our discredit as presumably intelligent occupants of the world in its more advanced stages, if we frankly and deliberately investigate some of the institutions that our forefathers have handed down to us, with the idea of ascertaining, if possible, whether they are really any more consistent with justice and morality, as we understand those terms, than some customs that we have already discarded, or whether they are now really adapted to the general welfare of society. We should remember that society outgrows its institutions just as a boy becomes too big for his clothes, and that in a metaphorical sense the past is strewn with cast-off garments.

It is not my purpose to enter very minutely into the land question, my conception of its nature being very different from that usually entertained among students of the problem, but, the land question being a special form of perpetuated monopoly, it is interesting to trace its ramifications in the early writings of Herbert Spencer, embodied in his *Social Statics*, and in the works of our American reformer, Henry George, who is now at war with Mr. Spencer¹ because the latter has apparently decided to sacrifice human rights on the altar of Mammon. The essential evil of private or perpetual ownership is that when all the available, or useful, or fertile land in any country is apportioned among its people under private ownership, the earth will continue turning around every twenty-four hours. Meanwhile men will go out of the country by death, and other men come into it by birth, just as if the land remained accessible to the entire people under common ownership. In about seventy-five years later than any date which may be selected, the

¹ See "A Perplexed Philosopher," by Henry George.

people who then live in that country will be a new people, for those who agree in the present or who agreed in the past to distribute the land, will have died and returned to dust. Some of the new men will have land, gained, probably, by inheritance, a few of them will own vast tracts of farming land, and others will possess smaller but infinitely more valuable tracts in the great centers of population. Many of the new population, sometimes on account of their own characteristics, but often from the mere difference in ancestry, will possess neither land nor anything they can exchange for land. They will be confronted at their birth by the agents of the most gigantic of all monopolies—the private absorption and absolute individual control of land, from which is derived all other wealth. Society has established a system by which inheritance and disinheritance are handed down to future generations, side by side, without any justice in its methods.

In the United States our land laws have met the exigencies of the present very satisfactorily, and homesteads have been popular with the people, but these laws will provide for the future no better than any other laws establishing private ownership. Great trouble will result if the present system remains intact long enough for land to become thoroughly appropriated and monopolized among a denser population.

The history of water-rights in California is a curious record of changes in the nature of ownership within a brief period. When the territory was obtained from Mexico and received its first settlers from the United States, the water of the flowing streams was supposed to belong equally to the people under the doctrine of riparian rights, each occupant of the banks having the right of use, but no right of pollution or diversion.

When gold was discovered, on this account the presence of a large body of water in an auriferous channel

was an obstruction to mining, and its diversion and use among the surrounding hills and ravines, a benefit, so laws were adopted, permitting the right of private appropriation under certain formalities in which priority of appropriation and use involving labor were the cardinal principles.

Diverted into ditches and canals throughout the gold-producing region, the waters of the streams, once regarded as the property of all, thus became private property, which was sold at a varying price for a quantity designated as a miner's inch. A substance that had formerly been regarded as the property of everybody, quite as much so as air, was therefore sold by measurement like land or cloth.

Finally, after the shallow places were exhausted by mining, and the extensive orchards of the state were planted, the demands for water to be used in irrigation became so urgent that the people went back again to a species of public ownership under laws providing for the condemnation and purchase of private water-rights by the people associated in irrigation districts, in which the water again became public property.

People usually regard the nature of ownership in air as being somewhat different from ownership in water, and vastly different from the ownership of land. The difference is only apparent, however, for if a man should occupy a piece of land to which society had given him a title and should fill three bottles, one with air, another with water, and a third with earth from his premises, his right to one is exactly as complete or as incomplete as his right to another. When the amount of water is infinitely great compared with the needs of the people, as in the Mississippi River or the ocean, it is held as public property, just as the air is held, but when limited by location and demand it has been subjected to private ownership like

the land. The entire surface of the United States was originally public property like the waters of the great lakes and streams, but it has been reduced to private ownership by the operation of the various distributive laws. Public ownership now exists only in comparatively barren portions of the country and in certain parks and reservations retained by the people collectively. The tribes of Indian Territory, however, follow the universal custom of uncivilized people in regarding the land as something absolutely incapable of private ownership, and therefore, the individuals of these remnants of the former inhabitants occupy their land merely as tenants. All the native tribes of America were deeply impressed with the idea that the land they occupied belonged to posterity quite as much as to the occupants at any period. Instances have been noted where this idea was so strong in the minds of savages that they refused to sell their lands to the whites on the ground that they could not dispose of the rights of future members of the tribe. These features of the land question are trite to those who have investigated the subject, and they are here mentioned only to show that air, water, and land are essentially the same in their nature so far as human rights in them are concerned. Land and water have both been held and are now held under private ownership, and air is really held in the same way, but its nature is such that it cannot be monopolized so as to oppress anybody. Theoretically, a man's property under the name of a square mile of land, is a spherical pyramid, its apex in the center of the earth and its base at the outer limits of the atmosphere, although the colossal pretensions of those who believe in the doctrine of a divinity and a perpetuation of rights to land, may contend that the sides of their pyramid are prolonged infinitely into space. As the possession of a few billions of miles more or less in that direction will

not cause much trouble in society, however, we will not proceed to discuss that portion of the assumed rights to landed estates.

This pyramidal property, however, if it be of any value to men, contains air above the land, and both air and water in the surface soil, so that earth, air, and water are necessarily held together inseparably by any land title. There is no difference whatever in the ethics of man's possession of these three elements, for when he has land he possesses all. If the private ownership of one is wrong, the other two are held quite as unjustly.

The theory of the land reformers is that the entire land surface of any country should remain the property of the whole people, and that it should, if allotted, be distributed in the hands not of owners, but of tenants, who would pay their rents to the public, either in the form of special land taxes, or by regular rent payments into the public treasuries, instead of to private landlords. Thus all who exist at any particular instant are supposed to have absolutely equal rights of use in the land, air, and water, and every person actually in possession becomes the tenant of the community.

The land question is here described only in a casual way in order to develop and expose what seems to be a strange fallacy in the conceptions of many vigorous thinkers who have written of the rights to property. In a preceding chapter has been illustrated the absurdity of the ancient idea that mere occupancy by previous birth can give to any man the exclusive right to any portion of the earth that has not been transformed by the application of his labor. The reader's attention is now directed to the almost universal belief among the foremost thinkers of the age, that rights to land are in their nature very different from rights to buildings and other improvements, and to

all kinds of personal property, such as machinery, money and cloth.

Briefly stated, the ideas of these writers are that, while land can never be justly held as private property, subject to the absolute disposal of the owner in every way, all kinds of improvements and personal property can, nevertheless, become subject to private ownership and transfer by gift, sale, and bequest without the development of social wrongs. In the minds of these thinkers there exists a similarity or identity between air, water, and land, by which all are unfit for private ownership; but there exists a radical difference between these three elements and the infinite number and variety of developed products of human labor by which the latter can justly become private property and be rightfully bequeathed.

Are these writers correct in their conclusions? It may seem pretentious to question the deductions of thinkers like John Stuart Mill, Herbert Spencer, and Henry George, but in defense of inquiry, the latter has forcibly said, "we, too, are men," although we may not be philosophers. Let us inquire and think independently. In the first place we will note the conclusions of this class of reasoners. Mr. Mill says in reference to land tenures :

"When the 'sacredness of property' is talked of it should always be remembered that any such sacredness does not belong in the same degree to landed property. No one made the land. It is the original inheritance of the whole species. Its appropriation is wholly a question of general expediency.

"When private property in land is not expedient, it is unjust. It is no hardship to any one to be excluded from what others have produced; they were not bound to produce it for his use, and he loses nothing by not sharing in what otherwise would not have existed at all. But it is some hardship to be born into the world and to find all nature's gifts previously engrossed, and no place left for the new-comer. To reconcile people to this,

after they have once admitted into their minds the idea that any moral rights belong to them as human beings, it will always be necessary to convince them that the exclusive appropriation is good for mankind on the whole, themselves included. But this is what no sane human being could be persuaded of, if the relation between the landowner and the cultivator were the same everywhere as it has been in Ireland.

“Landed property is felt even by those most tenacious of its rights, to be a different thing from other property ; and where the bulk of the community have been disinherited of their share of it, and it has become the exclusive attribute of a small minority, men have generally tried to reconcile it, at least in theory, to their sense of justice, by endeavoring to attach duties to it, and erecting it into a sort of magistracy, either moral or legal. But if the state is at liberty to treat the possessors of land as public functionaries, it is only going one step further to say that it is at liberty to discard them. The claim of the landowners to the land is altogether subordinate to the general policy of the state. The principle of property gives them no right to the land, but only a right of compensation for whatever portion of their interest in the land it may be the policy of the state to deprive them of. To that their claim is indefeasible. It is due to landowners, and to owners of any property whatever, recognized as such by the state, that they should not be dispossessed of it without receiving its pecuniary value. This is due on the general principles on which property rests.

“When the property is of a kind to which peculiar affections attach themselves, the compensation ought to exceed a bare pecuniary equivalent. . . . To me it seems almost an axiom that property in land should be interpreted strictly, and that the balance in all cases of doubt should incline against the proprietor. The reverse is the case with property in movables, and in all things the product of labor ; over these, the owner's power both of use and of exclusion should be absolute, except where positive evil to others would result from it ; but in the case of land, no exclusive right should be permitted in any individual which cannot be shown to be productive of positive good.”

These extracts from the writings of Mr. Mill will sufficiently indicate the position he occupied on the land question. He evidently considered land unfit for private property and radically different from all the movable or immovable products of man's labor. According to his theory, a man could justly own a house or a machine, but not a farm. Notwithstanding this idea, however, Mr. Mill would compensate owners for what they cannot justly own, and even pay them something additional for special damages to their affections. This idea of owning the value of land and not owning the land itself is so queer that we may suspect a fallacy in the author's reasoning, but not being critics for amusement we will let that oddity pass, merely noting that he thinks men can justly own anything but land.

In *Social Statics*, one of the early publications of Herbert Spencer's series of books, the author boldly and vigorously enunciates the rights of man and defines their limitations with a freedom from timidity and subservience to wealth that is in strange contrast with his more recent writings. Under the heading of "The Right to the Use of the Earth," he says :

"Given a race of beings having like claims to pursue the objects of their desires—given a world adapted to the gratification of those desires—a world into which such beings are similarly born, and it unavoidably follows that they have equal rights to the use of this world. For if each of them 'has freedom to do all that he wills provided he infringes not the equal freedom of any other,' then each of them is free to use the earth for the satisfaction of his wants, provided he allows all others the same liberty. And conversely, it is manifest that no one, or part of them, may use the earth in such a way as to prevent the rest from similarly using it; seeing that to do this is to assume greater freedom than the rest, and consequently to break the law.

"Equity, therefore, does not permit property in land.

For if *one* portion of the earth's surface may justly become the possession of an individual, and may be held by him for his sole use and benefit, as a thing to which he has an exclusive right, then *other* portions of the earth's surface may be so held ; and eventually the *whole* of the earth's surface may be so held ; and our planet may thus lapse altogether in private hands. Observe now the dilemma to which this leads. Supposing the entire habitable globe to be so enclosed, it follows that if the landowners have a valid right to its surface, all who are not landowners have no right at all to its surface. Hence, such can exist on the earth by sufferance only. They are all trespassers. Save by the permission of the lords of the soil, they can have no room for the soles of their feet. Nay, should the others think fit to deny them a resting-place, these landless men might equitably be expelled from the earth altogether. If, then, the assumption that land can be held as property, involves that the whole globe may become the private domain of a part of its inhabitants ; and if, by consequence, the rest of its inhabitants can then exercise their faculties—can then exist even—only by consent of the landowners ; it is manifest, that an exclusive possession of the soil necessitates an infringement of the law of equal freedom. For, men who cannot 'live and move and have their being' without the leave of others, cannot be equally free with these others.

“Passing from the consideration of the possible to that of the actual, we find yet further reason to deny the rectitude of property in land. It can never be pretended that the existing titles to such property are legitimate. Should any one think so, let him look in the chronicles. Violence, fraud, the prerogative of force, the claims of superior cunning—these are the sources to which those titles may be traced. The original deeds were written with the sword, rather than with the pen ; not lawyers, but soldiers, were the conveyancers ; and for seals, blood was used in preference to wax. Could valid claims be thus constituted ? Hardly. And if not, what becomes of the pretensions of all subsequent holders of estates so obtained ? Does sale or bequest generate a right where it did not previously exist ? Would the original claimants be nonsuited at the bar of reason, because the thing

stolen from them had changed hands? Certainly not. And if one act of transfer can give no title, can many? No; though *nothing* be multiplied forever, it will not produce *one*. Even the law recognizes this principle. An existing holder must, if called upon, substantiate the claims of those from whom he purchased or inherited his property; and any flaw in the original parchment, even though the property should have had a score of intermediate owners, quashes his right.

* * * * *

“Not only have present land-tenures an indefensible origin, but it is impossible to discover any mode in which land *can* become private property. Cultivation is commonly considered to give a legitimate title. He who has reclaimed a tract of ground from its primitive wildness, is supposed to have thereby made it his own. But if his right is disputed, by what system of logic can he vindicate it?

* * * * *

“It does indeed at first sight seem possible for the earth to become the exclusive possession of individuals by some process of equitable distribution. ‘Why,’ it may be asked, ‘should not man agree to a fair subdivision? If all are co-heirs, why may not the estate be equally apportioned, and each be afterwards perfect master of his own share?’

“To this question it may in the first place be replied, that such a division is vetoed by the difficulty of fixing the values of respective tracts of land. Variations in productiveness, different degrees of accessibility, advantages of climate, proximity to the centres of civilization—these, and other such considerations, remove the problem out of the sphere of mere mensuration into the region of impossibility.

“But, waiving this, let us inquire who are to be the allottees. Shall adult males, and all who have reached twenty-one on a specified day, be the fortunate individuals? If so, what is to be done with those who come of age on the morrow? Is it proposed that each man, woman, and child shall have a section? If so, what be-

comes of all 'who are to be born next year? And what will be the fate of those whose fathers sell their estates and squander their proceeds? These portionless ones must constitute a class already described as having no right to a resting-place on earth—as living by the sufferance of their fellow-men—as being practically serfs. And the existence of such a class is wholly at variance with the law of equal freedom.

“Until, therefore, we can produce a valid commission authorizing us to make this distribution—until it can be proved that God has given one charter of privileges to one generation, and another to the next—until we can demonstrate that men born after a certain date are doomed to slavery, we must consider that no such allotment is permissible.

* * * * *

“But to what does this doctrine that men are equally entitled to the use of the earth, lead? Must we return to the times of unenclosed wilds, and subsist on roots, berries, and game? Or are we to be left to the management of Messrs. Fourier, Owen, Louis Blanc, and Co.?”

“Neither. Such a doctrine is consistent with the highest state of civilization; may be carried out without involving a community of goods; and need cause no very serious revolution in existing arrangements. The change required would simply be a change of landlords. Separate ownerships would merge into the joint-stock ownership of the public. Instead of being in the possession of individuals, the country would be held by the great corporate body—Society. Instead of leasing his acres from an isolated proprietor, the farmer would lease them from the nation. Instead of paying his rent to the agent of Sir John or his Grace, he would pay it to an agent or deputy agent of the community. Stewards would be public officials instead of private ones; and tenancy the only land tenure.

* * * * *

“No doubt great difficulties must attend the resumption, by mankind at large, of their rights to the soil. The question of compensation to existing proprietors is a

complicated one—one that perhaps cannot be settled in a strictly equitable manner. Had we to deal with the parties who originally robbed the human race of its heritage, we might make short work of the matter. But, unfortunately, most of our present landowners are men who have, either mediately or immediately—either by their own acts, or by the acts of their ancestors—given for their estates, equivalents of honestly-earned wealth, believing that they were investing their savings in a legitimate manner. To justly estimate and liquidate the claims of such, is one of the most intricate problems that society will one day have to solve. But with this perplexity and our extrication from it, abstract morality has no concern. Men having got themselves into the dilemma, by disobedience to the law, must get out of it as well as they can; and with as little injury to the landed class as may be.”

The opinions of these writers are repeated here without entire approval, for it seems to me they have viewed the rights of men dimly through a glass obscured by their unconscious subservience to and acceptance of existing customs. It will be observed that Mr. Spencer absolutely denies the right of private property in land, but admits that compensation to existing possessors who either purchased lands themselves or inherited it from ancestors who had purchased it with the proceeds of labor, would be justice. The plain inference from his writings is that he conceives that no man can justly acquire ownership in land, but that any man can acquire an absolute right of property in anything that is the product of his own exertions, for instance, a tool or a garment. Mr. Spencer does not deny the right of property in general, but only the right of property in land, for he opposes socialism and communism, and distinctly asserts that a right of private property exists and must be maintained.

The author of *Progress and Poverty*, whose writings have attracted greater popular attention than those of the

other authors on the land question, is very positive and explicit in his views. In the work just mentioned he says :

“What most prevents the realization of the injustice of private property in land is the habit of including all the things that are made the subject of ownership in one category, as property ; or, if any distinction is made, drawing the line according to the unphilosophical distinction of the lawyers, between personal property and real estate, or things movable and things immovable. The real and natural distinction is between things which are the produce of labor and things which are the gratuitous offerings of nature.

“A house and the lot on which it stands are alike property, as being the subject of ownership, and are classed by the lawyers as real estate. Yet in nature and relations they differ widely. The one is produced by human labor. The other is a part of nature. The essential character of the one class of things is that they embody labor, are brought into being by human exertion, their existence or non-existence, their increase or diminution, depending on man. The essential character of the other class of things is that they do not embody labor, and exist irrespective of human exertion and irrespective of man ; they are the field or environment in which man finds himself ; the storehouse from which his needs must be supplied ; the raw material upon which, and the forces with which his labor alone can act. . . .

“The equal right of all men to the use of land is as clear as their equal right to breathe the air—it is a right proclaimed by the fact of their existence. For we cannot suppose that some men have a right to be in this world and others no right. . . .

“Whenever the people, having the power, choose to annul land titles, no objection can be made in the name of justice. There have existed men who had the *power* to hold or to give exclusive possession of portions of the earth's surface, but when and where did there exist the human being who had the *right*.

“The right to exclusive ownership of anything of human production is clear. No matter how many the hands

through which it has passed, there was, at the beginning of the line, human labor—some one who, having procured or produced it by his exertions, had to it a clear title as against all the rest of mankind, and which could justly pass from one to another by sale or gift.

“But at the end of what string of conveyances or grants can be shown or supposed a like title to any part of the material universe? To improvements—such an original title can be shown; but it is a title only to the improvements, and not to the land itself.”

These extracts from *Progress and Poverty* are supplemented by the following from *A Perplexed Philosopher*, in which Mr. George exposes the insincerity and inconsistency of Mr. Spencer's later utterances on the land problem :

“Property—not property in the legal sense, for that may be anything which greed or perversity may have power to ordain; but property in the ethical sense—is that which carries with it the right of exclusive ownership, including the right to give, sell, bequeath, or destroy.

“To what sort of things does such right of ownership rightfully attach?

“Clearly to things produced by labor and to no other. . . .

“The ethical right of property is so perfectly clear as to be beyond all dispute. It springs from the right of each man to use his own powers and enjoy their results. And it is a full and absolute right. Whatever a man produces belongs to him exclusively, and the same full and exclusive right passes from him to his grantee, assignee, or devisee, not to the amount of eighty or fifty or any other percentage, but in full. . . .

“Compensation [for the abolishment of land titles] implies equivalence. To compensate for the discontinuance of a wrong is to give those who profit by the wrong the pecuniary equivalent of its continuance. Now the state has nothing that does not belong to the individuals who compose it. What it gives to some it must take from others. Abolition with compensation is, therefore, not really

abolition, but continuance under a different form. . . . That confusion alone gives plausibility to the idea of compensation for refusal to continue wrong, is seen in the fact that such claims are never put forward in behalf of the original beneficiaries of the wrong, but always in behalf of the purchasers. . . . All pleas for compensation on the abolition of unequal rights to land are excuses for avoiding right and continuing wrong."

Mr. George, therefore, differs from the two other authors here quoted by denying the right of landowners to compensation if land titles shall be abolished and land thus become nationalized ; and as a method of procedure he has very persistently urged the single land tax, which, under his theory, would operate as a means of compelling all landowners to pay rent in the form of taxes to the community, thus installing the community as owner, and reducing private owners to tenants. In its real nature the single land tax does not differ from the actual abolition of land titles, except in being a more gradual method of appropriation. It cuts the dog's tail off an inch at a time instead of at one blow.

Mr. Spencer and Mr. George both begin with a clear statement and abundant proof that land cannot justly remain private property, and multitudes of people now agree with them in this conclusion ; but they differ on the question of compensation to existing owners, Mr. Spencer approving the idea of compensation and Mr. George positively denying it, while neither philosopher is able to make a clear and convincing argument for his side of the question. For instance, if a man can really have no right of ownership in land, why should society pay him for something that he has not got, that he never had, and that he never can have ? On the other hand, if John Smith, a citizen of the United States, pays this government for one hundred and sixty acres of land, clears it, fences it, cultivates it, and makes his home

upon it by his own exertions, or if John Smith as a laborer saves \$5,000 from his earnings and purchases a piece of unimproved land with his money, and either the single land tax or land nationalization be then effected and the value of his land destroyed, so far as he is concerned, it is likely that it will require more than the arguments of the single-taxers to convince people that Smith has been fairly treated. The fact that Mr. George has been constantly compelled in almost every chapter of his writings to iterate and reiterate that his theories do not apply to improvements on land, but to the land itself, no matter if it be a small spot of ground covered by one of Chicago's high buildings, and that Mr. Spencer has been compelled to advise paying money to people for something that he says they cannot own, should convince both these writers that some of their assumptions in regard to the rights of men and the nature of property must be fallacious.

As Professor Huxley has hinted to these authors, men either own or do not own both land and cabbages. When we deny all rights of ownership in land, and then offer compensation for what a man cannot own, or deny compensation in cases where denial is obviously unfair, there must be a fallacy in reaching our conclusions.

It is claimed, therefore, that the writers herein mentioned, who are the leaders of a host of followers drawing similar conclusions from the circumstances of land occupancy, have only perceived a portion of the real truths underlying what are called the rights to property, and that the errors at the basis of their arguments lead to inconsistency at the close, by which the brightest intellects making the same assumptions at the beginning, are unable to draw really satisfactory conclusions at the end. In the first place, we can positively deny what they apparently regard as self-evident, that a difference exists in the nature of the rights involved in the possession of land

as distinguished from the possession of other things, and we can also deny that any moral right whatever exists by which a man can claim any kind of property in the sense that it is an exclusive possession and at the same time a perpetuity. We may contend that any man's right to his land is quite as perfect as his right to the coat he wears or the house he occupies, all being acquired by the same methods, but that no man's right in anything whatever can extend beyond his lifetime or be justly converted into a succession. It may be proved to unbiased minds that man is merely a tenant under a life lease, and that earthly possessions are not property, in the usual significance of that word, but a usufruct.

All that is desired of the reader is careful attention to the reasons to be adduced for these conclusions, and a fair consideration of the whole problem. The people of the civilized world ought to be too intelligent at the close of the nineteenth century to continue to ridicule and revile free speech, no matter how radical its conclusions, provided it be temperate and peaceable.

Property is an institution established for the supposed benefit of man, and human creatures are not on earth solely to do reverence to their own handiwork. There is nothing sacred about the so-called rights of property, for, like all other human institutions when carried to an extreme, these rights have become wrongs. We need to remember that wealth was produced for men ; not men for wealth.

CHAPTER XI.

THE SUPREMACY OF EGOTISM.

*So man, the moth, is not afraid, it seems,
To span Omnipotence, and measure might
That knows no measure, by the scanty rule
And standard of his own, that is to-day,
And is not ere to-morrow's sun goes down.*

—WILLIAM COWPER.

- BEFORE we commence our investigation of the rights of property, let us consider what is meant by owning a thing. If anything be my property, in the complete sense of the word, I am supposed to have the right to use it, sell it, or give it away during my lifetime, and at my death to transfer it by bequest to my successor, thus extending my right absolutely to him, and giving him the power to extend it to his successor, so that, so far as other men not in this line of succession are concerned, the original possessor's right becomes a perpetuity, just as if he had continued to live on through succeeding generations, instead of dying and continuing his rights in the person of his heir. The essence of absolute ownership is perpetuity; the theory, if there be any real theory connected with this subversion of human rights, being that when a man acquires earthly possessions, they are his or his successor's (which amounts to the same thing, so far as the rights of other men are concerned) for all succeeding time, so long as men shall inhabit the earth.

The writers whose names are mentioned in the preceding chapter believe that a man can thus rightfully own what are known as improvements and personal property, but that he cannot own land, if justice be maintained.

Before we consider these points, let us again get away from the earth, out among the clouds, where we can look back upon its surface from a distance and note the conditions at one comprehensive view, without being confused by a multitude of details.

What is the earth? It is apparently a huge ball nearly eight thousand miles in diameter, the surface composed partly of land and partly of water, and enveloped by the gas we call the atmosphere. On and in its crust we may find thousands of different substances, composed in varying proportions and combinations of a few elementary forms of matter of which one of the most common is the metal called iron. The mineral termed water is separable into oxygen and hydrogen, and these united again in the right proportions will make water. Water cooled becomes ice; heated it becomes steam and apparently vanishes into nothing. So with iron; a solid at ordinary temperatures, it reddens by heat, becomes a liquid, finally vaporizes and seemingly disappears. All nature, composed of varying elements, exists in these three forms, or would so exist under certain physical conditions, for air becomes a liquid and a solid under extreme cold and pressure. On the earth appear various forms of life, plants and animals, of whom man has reached the highest development, as we understand that term. Their bodies are composed of the same elements that exist in the globe on which they live. "Dust thou art, to dust returnest," is literally true of all life, when dust means the substances of which the planet is composed.

All life buds, grows, ages, decays, and dies with much of similarity and connection all along the line, from the lowest to the highest. Note, however, that in all the transformations of animate and inanimate nature that involve the countless and often mysterious changes going on in this world, not one atom is taken away from the

planet and not one atom added to its mass. When ice becomes water and water steam, and steam becomes separated into its constituent elements, the world has lost nothing and gained nothing. After all the incomprehensibly numerous mechanical and chemical changes that have been wrought by nature and by art on the surface of the planet in the last ten thousand years, it is incontestable and unthinkable that its weight can be either increased or diminished one grain from these causes. So of the forces of heat, light, and electricity ; they are convertible one into the other, and the absolute amount of energy of each or all (if there be more than one force, in reality, assuming different forms) can never be lessened or increased. So far as man is concerned, there is no such thing as the creation or the destruction of either matter or force. There never was a truer thought than the assertion that man brings nothing into the world and can take nothing away.

The same conditions are probably true of life. The strange principle of organized growth and development, which appears nearly as mysterious in a plant as in a human being, may be, and in all probability is, an emanation of some great life-reservoir existing in the universe, (just as the lamp before me is throwing off and making perceptible for a moment a small portion of the universal store of heat and light,) neither increasing by its existence the absolute quantity of what we name life, nor lessening it by what we call death. Discarding this speculation at present as useless, however, we can be absolutely certain that all of man's efforts on earth accomplish neither creation nor destruction, but merely transformation.

What, then, is production, for which so much has been claimed as a foundation for man's rights? It is merely this much : man appears on earth for a few years, inconceivably brief compared with its habitable existence, hav-

ing no power whatever over his coming or his going. Relatively he is the insect of a day. Forced thus upon the planet, and protected during a helpless period by the instincts of his predecessors, he proceeds, when he arrives at the age of able effort, to make himself as comfortable, morally, mentally, and physically, as the circumstances will permit during his brief occupation of earth. In carrying forward these self-protective efforts, he necessarily applies his labor to various portions, relatively minute, of the planet on which he exists, and thus effects slight transformations, which are termed the products of his labor. Nothing whatever that he is said to produce is really more than some small fragment of the world surrounding him, modified in some way by his exertions to adapt it to his desires.

Thus, if one man clears a small spot of ground and plants therein a garden ; if another fells trees, cuts logs and with them builds a house ; if a third digs copper or iron to make a weapon, or laboriously finishes a bow and arrows, each has merely transformed a small part of the earth surrounding him to suit his needs, and there is no real difference in the nature of their labor or in the rewards which justice will attach to it. The trees which the man felled to make his house are quite as much a part of the earth as the soil is which the man cleared and stirred when he made his garden ; and the copper used by the third man in making his weapon is surely as much a constituent of the planet as any so called "land" that has vexed and puzzled the minds of these philosophers for a century. So far as natural rights are concerned, it is quite certain that in the supposed case here described, any reader or any number of readers will at once concede that the man who has occupied his bit of land and made his garden has quite as perfect a right to undisturbed use and exclusive possession as do the men who have made houses and

weapons. The application of labor in any one or all of these instances has conferred upon the laborer all the rights which can justly accrue to him on account of his exertions, and, so far as rights are concerned, the men are not differently situated because one took land and the others something else.

The essential truth embodied in the condition of man's existence is that everything he possesses is a part of the earth and indestructible, so that in its real nature nothing differs from land, so far as human rights are concerned. Labor cannot exist alone, but must be applied to some definite portion of the earth's mass, for even our own bodies are composed of the earth. Thus a wooden house is merely earth transformed into trees by nature and into boards by man. A brick or stone building is only a portion of earth-crust moulded or carved into a form suitable for man's needs. Air and water are quite as much a part of earth, as land, trees, and men. The most complicated piece of machinery ever constructed is merely parts of earth, in the form of metals usually, shaped with infinite toil to accomplish man's purpose, just as his farm is another portion of the globe modified by clearing, and digging, and fertilizing to gratify his desires in another way. A gold coin is a small fragment of the same earth modified by changes in its form and substance to suit his convenience. Trace anything—silks and satins, diamonds and pearls, the object-glass of the Lick telescope, or the rarest violin of Cremona's workshops—back to its origin, and you will find nothing but a transformation in what is essentially land in all its real characteristics. Nothing whatever is produced that is not some part of the earth's crust or atmosphere adapted by man to suit his needs or his pleasure, in the same way that he transforms by patient efforts the bit of earth which he calls his lot or his farm. Sometimes the apparent value of the labor in

the transformation exceeds the apparent value of the earth in the product, as in the machine ; sometimes the value of the earth in the product exceeds that of the labor immediately involved, as in the coin ; but in neither case is the nature of man's relations to earth or his rights therein changed, for labor expended on one part of earth is entitled to its reward quite as much as labor bestowed upon another portion, and many bits of land exist upon which the cost of labor expended by its present owners far exceeds the real value.

If it be not already sufficiently clear that a fallacy exists in the assumption that a more exclusive right exists in the tenure of a house than in the possession of a farm, we will again suppose a case of human effort.

The inhabitants of Mexico and those of California during its history preceding the annexation to the United States, built their houses of large sun-dried bricks, bulky and fragile, which they called adobes. In an imaginary world peopled by ten of these Mexicans, five men select spots of ground and each sets to work to clear his land, planting therein, according to the customs of their forefathers, a crop of beans and red peppers. The other five, somewhat emulous of Joaquin Murietta, live in caves, and pursue a life free from systematic toil. According to our philosophical writers, there can be no special or exclusive rights to land, so the five bandits maintain their equal rights by traversing the gardens of their associates at their own sweet wills, undismayed by the protests of the occupants. Finally, the beans and peppers being safely harvested and winter approaching, the Mexican farmers decide to build houses after the fashion of their race. Accordingly, each procures water, mixes the dirt in his garden, from which he had lately removed the bean-vines, and proceeds to mould it into bricks, dry them in the sun, lay them upon one another, and thus construct a house.

When the houses are completed, every Mexican has gained a special and exclusive right, according to the land theorists, by which he can now exclude the Joaquins from the land built into its walls by the process of mixing and moulding, though all his former mixing and moulding when the same land lay in the form of a little farm could avail him nothing nor justly bar out trespassers. A sudden change takes place, however, for before the builders can occupy their houses, an earthquake throws all the walls down again, a violent storm of rain dissolves the imperfectly hardened adobes, and, presto, change! away vanish the magic special-rights to the mystical Mexican mud, and back again justly come the disciples of the famous Mexican bandit to maintain their equal-rights, in a manner that is nearly as confusing as some of the arguments on the land question which have been quoted, and about as consistent as the present attitude of Herbert Spencer and Henry George toward each other.

Is it not manifestly absurd from these comparisons to suppose, as so many writers have done, that man's rights in the possession of land are any different from his rights in anything else that he develops or transforms by his labor? Is it not evident that when he clears or cultivates a bit of land, the application of his labor is exactly the same ethical process involved in building a house or making a tool? Reduced to its final analysis, any of these acts is merely the transformation of a small part of earth by man's labor to adapt it to his purposes. If he has any right to one, he has the same right to all, because they are identical in their nature. It is true that man has only an equal right in the unimproved land, or land to which his labor has not been applied, but it is also true that he has only an equal right in the material of which the tool and the house are constructed until he has labored upon them, all instances merely being illustrations of the gen-

eral truth, that man has originally no special right to any part of the earth, any more than he has to the air, to the light of the sun, to the ocean, or to the forces of gravitation and electricity.

If, therefore, man's rights to houses, tools, money, and all other forms of wealth, including land, are exactly identical, what follows? All must be justly susceptible of private ownership in the complete sense of the term, or all must be as the writers herein quoted conceive land to be ; that is, absolutely incapable of being owned as property in the full meaning of that word. It will be observed that land and all other things that men find of use to them are here classed as wealth, instead of separating the earth into the absurd classes of land and wealth according to the habit of the political economists, who have continually dwelt on the fallacy that there is a real distinction between earth lying flat, as in a field, and earth transformed into a tree and the tree into a house. The only consistent thought is that the earth is man's home, and all of it, from the centre to the limits of the atmosphere, including the light and heat that fall upon it from the other heavenly bodies, constitute man's wealth. Monopoly of one portion is quite as wrong as monopoly of another portion, and the land nationalists and single-tax advocates are only attacking a single manifestation of injustice because it is more prominent than other forms. It is quite true, as the writers on the land question have asserted, that land cannot justly be held as private property, but it is also quite true that absolutely nothing else on the face of the globe can be owned justly as property in the complete sense of perpetuity.

The reason why such ownership cannot exist is that all of man's rights, equal or unequal, real or imaginary, arise from the possession of his own body ; for without that he is nothing so far as earthly life is concerned.

Therefore, as he cannot have either property in or possession of his own body beyond the brief period of his existence, so he cannot justly claim any right whatever to any control or direction of any part of earth after or at the termination of his existence. There can be no actual property without the element of perpetuity, and as man has not a perpetual lease of life, so he can have no perpetual lease of wealth, either in his own name or in the names of successors appointed by himself.

So far as the individual is concerned, whether it be the beggar who stood at the gate of Dives, or Cæsar conquering the known world, he can absolutely own neither the pin with which he binds his rags into the semblance of a garment, nor the vast region over which he holds despotic sway. Matter is indestructible. It can neither be increased nor lessened by the hand of man. We poor, struggling mites upon the small fragment of the universe that we name earth, appear on its surface for an hour, a day, a year, or at most a century of the illimitable eternity extending on each side of our brief existence; we devote our puny efforts to effecting some trivial changes in the form and nature of certain minute portions of the infinity of matter extending in all directions beyond our vision and beyond our comprehension; we live out our ephemeral existence, too frequently, with our thoughts centered in ourselves, as though *we* were God's universe; and finally we die and our bodies return to the earth whence they proceeded: but during all our residence here, and notwithstanding all the efforts and triumphs that gratify our silly vanity, we bring absolutely nothing into the world and we take absolutely nothing away.

What astounding supremacy of egotism, then, for any man to contend that he perpetually owns any part of the world in which he is placed merely as one among

millions of predecessors and millions of followers ! What absurdity of self-deification for him to assert his right to establish a perpetual claim to the earth by attempting to bequeath any portion of it to any survivor, no matter if the labor of his insignificant and ephemeral existence, which was a necessity to his own life and comfort, has been applied to some small fragment of the planet over which he would establish the petty tyranny of his absolute control !

Do other men who follow us have no rights in the natural fragments and the modified fragments of the planet which all men inhabit, and which we are compelled to leave behind us at the stern command of Death ? When man is thus a slave to Nature and dies obediently at her command, does he possess any right born of a motive higher than the egotism of supreme selfishness to dictate the disposition of any part of earth beyond his life and occupancy ? Did other men who preceded him as sojourners on earth have the right to declare before they left it what parts of it in land and other wealth he should not use, and to limit his freedom by imposing restrictions from their own brief existence, no better and no greater than his own ? Can men perpetuate their rights to any part of earth when they cannot perpetuate their own bodies or their own existence ?

I think we must say no if we would speak truth. The philosophical writings of Locke, Mill, Spencer, and George, with the scores of commentators they have evolved, have revealed but a portion of the truth. They have halted at the private ownership of land and have denounced it as an evil without perceiving that land-ownership is only the most noticeable form of the great monopoly of the earth involved in the power of making bequests or other privilege of individual succession. They have failed to inquire what is the cause of land-

ownership, and they have failed to observe that no complete ownership of land ever existed till the privilege of bequeathing it to a successor was acquired and exercised. They have ignored the fact that a perpetuity of existence is a necessary element in a perpetual right, and so they have fallen into endless discussions over the titles to land and the taxation and compensation of owners, under the false assumption that land rights are different from other rights of possession and use. Our philosophers should postpone their debate until they depart from earth and unite in the eternal existence of the future that is supposed to lie beyond death. Earth is surely not the place for everlasting private ownership by the power of substitution, but we are taught that in the world to come, after the brief probation of earthly existence is terminated, there will be an eternity of joy or misery. To the political and social institutions of that world, then, let us relegate the doctrines of perpetuity, for when life-use becomes an eternal use, perhaps the exclusive and everlasting control by a favored few of those things necessary to our comfort or happiness may not become the same injustice there that it is on earth. One philosopher of the future existence may achieve an eternal possession of a furnace within the realms of his Satanic majesty, and another by a more satisfactory earthly record may accomplish the perpetual control of a golden harp. The impulses they have given to the progress of humanity by their daring and vigorous attacks upon the greatest social wrongs, certainly entitle them to a perpetuity of comfort in that world if they will abandon their somewhat unreasonable claims to a perpetuity of possession here.

Man's real rights in the earth, then, in spite of the philosophers and of merely human laws, are a usufruct. He is a tenant of earth holding possession under a life-lease

which he must relinquish immediately and absolutely when he is summoned by the Angel of Death. His right is the right of use. He has an equal right with every other man to use any part of the earth to which the labor or use of no other existing man is applied, and he has a better right than any other man or all men to the use of such portions of the earth as he has transformed by his own efforts to accomplish his desires ; but he has no perpetual right in anything, for his right to use the earth expires with his own life, and he cannot justly name his successor in the life-lease, nor delegate his expiring rights to another, any more than other tenants whose terms of occupancy are drawing to a close. He cannot transmit his right of use under the expectancy of death, because the right of using and the power of using are both extinguished with his life, and a new tenant must make new terms with the owner.

That owner at any given instant is the entire population inhabiting any portion of the earth and associated under some form of government as a nation. In a more general sense, and in the most perfect significance, the owner is the entire number of people who inhabit that portion of the earth from the time when King Might first concedes a few privileges to Queen Right, on through the ages of its history, in the development and progress, perhaps, of many nations, to the time when human existence on the planet shall become extinct. Man as an individual has but a temporary existence, and the rights of individual man must, therefore, also be temporary. It is absolutely impossible to effect justice in any other way, for no governmental plan that does not recognize these facts is based upon the actual condition and progress of human life. Man, the individual, may equitably exchange his life lease for the lease of another during its existence ; but when that lease is about to expire, and when conscious-

ness of that fact impels him to an attempt to select the next occupant, or if he and a proposed successor conspire to defraud society of its rights by attempted evasions of these cardinal principles of right and wrong, the survivor who thus attempts to reap what he has not sown, by becoming a monopolist of earth and usurping the rights of his fellow-creatures, should be held accountable to society for his crime like any other criminal.

The land question, which now has so many enthusiastic students in all parts of the world, which is a burning issue in England, and which has already been vigorously, though I believe unfairly, attacked in New Zealand, where some of the most radical ideas of recent years have been pushed to the front, is merely a portion of the great problem of human rights, and it cannot be solved justly or effectively by the methods that have been advocated. It is folly to assert, as the single-tax men do, that men who have monopolized certain highly useful portions of the earth, in the form of buildings, machinery, clothing, and food shall pay no taxes upon their possessions to assist in defraying the common expenses of association and organized protection, while other men who happen to have monopolized another part of earth called land, or who may have even applied their labor to it, and thus fitted it for the uses of humanity quite as honestly and effectively as any man ever "produced" anything on earth, must lose the value of what they justly possess by the short-sighted methods of the land hobbyists.

The land agitators are right in denouncing the evils of property in land. They believe that no community can justly confer land upon an individual as property ; for as a country increases in population, the land becomes subject to the control of a few, and the many are debarred from using it in productive efforts except by paying rents and thus maintaining an idle class of non-producers as land-

lords. They believe that the individual, who can necessarily live but the few years of an ordinary lifetime, can never justly become more than a tenant of the land he occupies, and that the real owner must be the community of which he forms a part. Thus the individuals of the community come and go by birth and death, but the community itself never dies so long as earth remains habitable.

The land reformers are right in these conclusions. No man and no body of men at any period or any instant in the history of a nation can justly own its land. The land is not even absolutely owned by all the people who inhabit the country at any specified time ; they are individually life-tenants, and their aggregate rights are never greater than mere tenancy. If, therefore, they would do justice one to another and to their posterity, they must accept this view of life and its rights and duties. There can be no such thing as ownership of land except by the entire body of people who will have inhabited the planet from the beginning of human life till its final extinction. We may say, if we are devout, that God owns the earth, and that man, the individual, is His tenant, rather than the tenant of the entire human race ; but this conclusion will not alter the essential thought that we are individually tenants and not owners, and that the results of our efforts are mere possession and not property. Any system of government which ignores these facts will develop injustice and tyranny in its institutions as surely as night follows day, for every new generation feels the wrongs of inherited monopoly more bitterly, till finally the social structure breaks into pieces under the strain of unnatural conditions.

Whenever man regards earth solely as *his* habitation ; whenever he formulates laws merely for his own brief existence, regardless of those who succeed him ; whenever he forgets that his life is but a span, and that other men

—his children and the children of his neighbors—will immediately follow in his footsteps ; whenever his thoughts are entirely bound up in his own little selfish existence, disregarding the life that is to succeed his own, and caring not whether he leaves equitable conditions for the survivors, just so surely will he leave to his heirs not alone a heritage of wealth, but also one of danger, in which the bitter curses of outraged humanity fall upon the corruption and injustice by which misery and destitution are brought face to face with idleness and luxury under conditions which are a mockery to any just distribution of rewards and punishments. The rich man eventually becomes rich because his father was wealthy ; the poor man remains poor because he is one of the “lower classes” and cannot rise when social conditions become petrified.

Any man who regards either the entire earth or his country as property owned by the people who inhabit it at any given instant, and who believes that the land he may possess is his property forever, to be controlled arbitrarily by himself and his successors nominated by bequests, is preparing to lay the foundations of injustice that will in after years bring misery and want to somebody's children, and perhaps to his own. Whenever the control of land is perpetuated in families by the customs of inheritance it develops into a monopoly more grinding and exasperating than all other monopolies which have cursed human existence. When we apportion the land of any country under private ownership, transmit it by inheritance, and permit new men to be born without inheritance, there is immediately created a progressive evil by which are developed a race of monopolistic landowners and a race of serfs. There will be little justice in political methods until men learn to consider the rights of those who are to succeed them as earthly tenants, and until they learn to control to a certain extent their selfish, short-

sighted desires for absolute dictation on their deathbeds of what they are pleased to term their own. Every man, presumably, loves his children and would leave them a heritage. The weakness of this position, however, lies in the fact that men usually labor merely to leave a heritage of wealth, and not a heritage of safe government under just conditions and equal opportunities. When wealth takes wings, and heirs are reduced to penury, they will be compelled to struggle against the unfair conditions that oppress every poor man to-day, while under a better social system, comparative poverty would be but a slight drawback, since reasonable effort would bring comfort to any man. Just laws and a safe government are more likely to confer happiness upon posterity than great individual wealth by inheritance, which can only exist in the midst of injustice.

What is the real nature or essence of private ownership in land? If a community occupying a body of land in which all its members are supposed to have equal rights, allots the territory equally, or at least fairly and acceptably among its members, and thereafter accords to each a better right in his allotted portion than any other man or all the others can have to that part, the plan embodies no injustice among the original body of men. Ethically it is not different from the satisfactory and equitable division of game killed in the chase by common effort. Practically such a division may be the most convenient and satisfactory as well as profitable means of using the land. The mere division of the land into small portions under separate management does not effect the real wrong of private ownership or property, for the original members of the community retain their rights as well under a division as when the land is held in a common tract, according to the methods of the Indian tribes.

The real trouble begins when new men are born,

for when all the land is allotted the immigrants by birth have no opportunities, except those of mere charity and sufferance till some ancestor dies. If every man's opportunities were equitably affected by the departure of predecessors to the land of shadows, there would still be little real hardship, for deaths as well as births are continually occurring. But the system of successions now steps in and confers upon a favorite in the rising generation all the wealth, be it ever so great, of the progenitor in the departing generation, and thus injustice is effected and class conditions instituted and fostered by an absurd idea of wealth transmission. No such thing as the private ownership of land ever existed till the privilege of bequeathing it was accorded, and when that privilege shall be taken away, absolute ownership will go with it and men will be reduced to their natural and rightful position of life-tenants. Property does not really exist till the idea of perpetual ownership by means of a successor is embodied in the privilege of making a will, which is equivalent to declaring, "This wealth is mine forever, no matter whether I am in the world or out of it." The instant a man has no power to name his successor, when death approaches, that instant he becomes again the life-tenant of land held by the community, which says to him: "You may use this land during the period of your existence according to the rules we shall adopt in the form of law, but your tenure is merely a life lease. Whenever you die, your rights in it and the privileges we have extended to you will cease, and we shall then make new arrangements concerning its occupancy. You shall not name the successor in its occupancy, for he is *our* tenant, not *yours*."

The land problem is merely a simple and noticeable form of the greater and more general wealth problem or earth problem, involving man's relations with the celes-

tial body he inhabits, just as the circle, with its comparatively simple relations and universal occurrence, becomes the first of the conic sections to receive mathematical investigation, while the more complex curves are subjected to a later inquiry. As the circle is one form of the ellipse, and as the square is one form of the parallelogram, so is the right to land only one form of the universal principle which must ultimately control the right of men to use and enjoy any portion whatever of the earth. Humanity will discover ere many years, even if the truth be not acknowledged at the present time, that the succession of the king's son to the throne of his ancestors, a principle which we have already discarded and denounced as a tyrannical absurdity unworthy of maintenance by an intelligent and liberty-loving people, is not a whit more absurd or more tyrannical than the principle that is still maintained by which the son succeeds (in some countries with his father's consent, in other countries without it) to the land or other wealth possessed by his progenitor. Kingly ascendancy is a power, and wealth is a power. We have abolished the succession so far as the kings of barbarism are concerned ; but we have retained it as a means of perpetuating the family power of financial kings developed in the nineteenth century.

Sooner or later the just principle must be recognized that in no case, political or financial, can the dying man delegate his powers and rights to a successor. Grover Cleveland is now the President of the United States, having powers that are delegated to him by the people of his country. By virtue of those powers he has absolute control of the White House as a financial privilege, and the power to nullify a law of Congress as a political privilege. If Grover Cleveland should die before the expiration of his term of office, and on his deathbed should re-

quest or command that some particular individual shall succeed him in these privileges, would there not arise a howl of execration from the throats of the multitude?

Yet the principle by which the President is not permitted to name his successor is not different in its nature but only in its extent from the grander principle which extends throughout all human institutions, by which is affirmed the absolute right of the living to control whatever portion of the earth they inhabit, free from the decrees of dying men, and free from the unjust transmission of privileges which can only be held by the original possessor for a limited period, terminated either by the expiration of a few years, or by the duration, at most, of his own existence.

The land reformers see only a portion of the evils which confront the progress of society. Land monopoly is, as they say, a thousand times more oppressive than all the modern combinations of capital, for it involves the absolute possession and exclusive control by individuals of all those desirable spots in every country which become, on account of favorable location, the great centers of trade and manufacture, worth thousands of dollars to the square foot of surface, and more valuable than the richest gold mines for revenue. Land does not mean merely the extensive and often unprofitable tracts far from great centers of consumption, but also the most valuable lots in the hearts of the great cities. However persistent the land reformers may have been in their attacks upon this evil, and however great the good they may have accomplished in stimulating thought upon these important questions, they have, nevertheless, failed to observe that behind the land tenures, as a cause for the present monopoly, exists the universal principle of a perpetual ownership through the power of successions. Private ownership of lands came into existence as an

effect of the power to bequeath a possession ; let the community reclaim its land by abolishing the power of the individual to transfer land to a successor. Guillotine Succession and thus destroy Private Ownership. When the power of bequeathing land is gone, the possessor is transformed from an owner to a life-tenant, and the land becomes again community property. The private ownership of land, like the monopolization of wealth of all kinds, has been created and fostered by individual inheritance, and the right way to correct the evil is to destroy what causes it by reversing the unjust process by which land monopoly was developed. The principles of succession embody the real causes of the evils so noticeable in the land question, and no satisfactory conclusions can be evolved from its consideration, without discussing the rights to the control of wealth as embodied in bequests. A remarkable instance of the inevitable failure which may be expected from attempts to solve a problem by the application of wrong principles, can be observed in the recent writings of Herbert Spencer and Henry George, wherein each demolishes a portion of his opponent's theories without being able to convince fair-minded readers that his views are correct. For it is obviously neither right nor safe to continue the system of land monopoly that exists ; it is equally obvious that to compensate existing owners would really only transfer their monopoly to something else deemed valuable by men ; and it is no less clear that land nationalization without compensation or the single land tax would be an injustice to all landowners not inheriting their property, and an unjust distinction between those who happened to possess land and those who controlled some other form of wealth. Had either of these writers gone behind the private ownership of land, concerning which so much has been written, he could not have failed to attack the

basal wrong of successions, for the fallacy which perpetually afflicts their reasoning is the assumption that land differs radically from other forms of earthly possessions, and that everything else in the form of wealth can be justly transmitted as a perpetuity.

Let us, then, re-establish the principle that land is community property and the possessor a life-tenant by compelling the reversion to the public of all landed estates on the deaths of their possessors. If there be equities that demand adjustment with those survivors who surround the deathbed, let us deal justly and even mercifully with those who might under existing conditions have been successors; but let us be guided by the principle that no man is entitled to anything unless it is the product of his own efforts, and that he can have no valid claim upon wealth produced in any other way, except through his equal right with other men as one of the community. Compelling in this way a surrender of private control over land and the issuance of a new title by the community, let us adopt such laws as will prevent its being held out of use for speculative purposes when men are so plentiful and opportunities so scarce, for the present destruction of rights to use the earth in this special form is one of the greatest evils of modern civilization.

There will be time enough to elaborate a plan for accomplishing this more general access to land when public sentiment demands that justice shall be done. When William W. Astor can absolutely control a large part of New York City, and the Duke of Westminster a larger part of London, while the value of the land and buildings is given, not by the moral, mental, or physical efforts of the possessors, nor by any act whatever, good or bad, of theirs, but by the mere existence, desires, and efforts of their surrounding fellow-creatures, above whom Mr. Astor and the Duke are installed as taskmasters and

wealth-dictators, governing all who inhabit those portions of the earth controlled by them and requiring of the occupants tribute ; when society grants to these favored sons of Mother Earth the additional power of naming successors in tyranny to rule other people after them ; when such palpable, unreasonable, and grossly unnatural wrongs exist among a reading, thinking, and fairly intelligent people, it would seem that no man with a spark of the heavenly fire of justice in his nature can refrain from the denunciation of such iniquity and a vigorous effort to destroy it. One thing is certain : awakening intelligence will not long continue a system under which the Dutchman who, according to some of the school histories, once bought Manhattan Island of its Indian inhabitants for a value equivalent to twenty-four dollars, might have placed the city of New York, by the assistance of a few descendants and a few wills, absolutely under the ownership of a single heir. The absurd and outrageous theory of land tenures by which a man may get all he can, keep all he gets, and then transmit his claim to a successor among those who follow him, thus empowering him to live idly and luxuriously off the proceeds of the labor of his less fortunate associates, and to repeat the transfer of his monopoly at the end of his own existence, till, eventually, the many pay tribute to the few for the mere opportunity to live, and breathe, and work on God's footstool, cannot be maintained much longer before the advancing thought of thousands who are now sharply inquiring why *they* have no privileges and opportunities. Aristocracy with titles in Europe, and aristocracy without titles in the United States will soon have to answer why men claim the divine right of kings to reign by succession, and by what authority they propose to transmit the power to other men.

Among the mountains of California the student of

sociology may any day see a rude and imperfect picture of man's earthly existence in the growth of one of the giant sequoias which have attracted to their shrines of wonder pilgrims from all parts of the world. Towering four hundred feet toward the heavens, the huge tree, thirty feet in diameter at the base, is so vast in its dimensions that no conception of its actual form can be gained except by viewing it from a distance. If we scan the crevices of its outer bark or scrutinize the divisions of its withered foliage in herbariums, our knowledge, however minute, will not give to us an adequate conception of the tree itself. So with the earth of which the great tree is a symbol. If we delve among the trivial minutiae of earthly life, dissecting this fragment of social existence, and comparing those minute observances of human customs embodied in the hair-splitting practice of the courts, the grand picture of human life and earth itself in their reality will not be revealed to us any more than a clear view of the great sequoia can be obtained by searching the pores of its bark with a microscope.

The history of the sequoia is also like the history of earth, for in the early period of its existence the young giant developed nothing in the form of life transmission from its own substance. It was barren like the earth amid the ancient epochs of its history. There came a time, however, when new life appeared from the bosom of the sequoia, and a time when life developed upon earth—seeds among the branches of the forest giant, man in his early existence on the planet he inhabits. Among the swaying boughs of the great tree thousands of small burrs appear—types of the social groups into which mankind forms. Within the little burrs, millions of tiny seeds maintain life and secure development from the great body of the tree, just as man derives his sustenance from the bosom of Mother Earth. Finally, the little seeds of forest

life, like the little men of a more diversified existence, complete their allotted period of connection with the great life reservoir. The opening burrs assume a brownish tint in the sunbeams that fall upon them, the tiny seeds within their cells darken with advancing age, the folding partitions of their little home turn slowly backward in the drying air, and each little seed is launched outward on an uncertain journey by the rough breath of the autumn wind. What future is to be allotted to the tiny seed which thus drifts down from the high boughs of the great tree, none can tell. We only know that it may contain life, but its future we cannot predict. Perhaps it may become the initial point of a grand progress and existence, perhaps it may have within itself no germ of development, and possibly it may perish in an unfortunate environment near the base of the great column whence it proceeded. As the little seed of the sequoia buds, lives, grows, develops, and, finally, at the termination of its career, begins a new and mysterious progress, so the little earth-seeds which we call men exist during the brief period of a human lifetime, and at its close they are launched into the vast universe surrounding them to achieve—can any one reveal what? Is it a new life for the man and the seed, or is it extinction?

When we reflect upon the helplessness of earthly existence,—how we came here without any volition of our own; how we await the summons of death with no power whatever to prolong our own lives or the existence of those we love; how, with all our civilization and our boasted intellectual development, we cannot even comprehend the life-principle of the little flower crushed beneath our feet, nor tell whence its life really came nor whither it goes; how our minds become tired and confused with a sense of their own imperfections when we attempt to project our thoughts throughout the universe

and to really comprehend the idea of illimitable space and eternity of duration—when we attempt in this way to measure the infinite by the finite, to say how many miles in the distance across God's universe, or how many centuries in the existence of the matter of which the earth is formed, or how much real proprietary claim a sequoia-seed has in the tree which bears it, or a man can obtain in his earthly home—when we have thought of all these things with an honest desire to know all we can of truth, ought we not humbly and reverently, realizing our absurd arrogance, to lay down forever all claims to property in the despotic and unreasonable sense in which men have desired that unjust privilege, and to abandon entirely the tyrannical idea that the future as well as the present is ours to control?

CHAPTER XII.

FROM POVERTY TO WEALTH.

A man is the whole encyclopedia of facts. The creation of a thousand forests is in one acorn, and Egypt, Greece, Rome, Gaul, Britain, America lie folded already in the first man. . . . Every man takes care that his neighbor shall not cheat him. But a day comes when he begins to care that he do not cheat his neighbor. Then all goes well. He has changed his market-cart into a chariot of the sun.—R. W. EMERSON.

In this chapter will be presented as briefly as may be consistent with clearness, a survey of those changes in property rights and methods of succession that have preceded the era in which we live, the special object being to explain those mental and physical conditions that have underlain the methods of transferring property from one generation to the next in different stages of civilization. Necessarily, within the narrow limits of this book, such an effort cannot be a history of property and inheritance, for

that would involve the history of the human race and of civilization, requiring many volumes for its adequate discussion. Neither can it be a treatise on actually existing laws of succession, for the laws relating to bequests and inheritance in all parts of the civilized world are the most artificial and complex of all legal dicta,¹ and are so capricious in their details, even where the general principles are identical, that their investigation becomes a notoriously difficult and vexatious pursuit for the law student, exasperating to all but the mere plodder. The nature of the work herein attempted will be rather a comparison of life in the present with the earlier progress of the human race, and an effort to express clearly the origin of the principles now established in our laws connecting the rights of the living with the privileges of the dead, so that the busy man who cannot find the time necessary for special investigations, may, if he desire, easily comprehend the general nature of the inquiry and verify its results by further research.

It is a cardinal principle of all true education that it

¹ "Successions involve two of the most important classes of cases arising constantly and uniformly in all civilized human societies. One is the right of a person by an act or other instrument, to dispose of his property after his death; the other is the right of succession to the same property, in case no such post-mortuary disposition is made of it by the owner. The former involves the right to make last wills and testaments; and the latter the title of descent and the distribution of property *ab intestato*."—JUDGE STORY.

"We find one nation basing the rights of inheritance upon those of primogeniture, another dividing the inheritance, some equally, others unequally, amongst the male and female issue; others again amongst the issue equally, to the exclusion of the females; and in Malabar and Canara we find the females inheriting to the exclusion of the males. Some nations acknowledge succession by right of representation and the right to inherit by the order of proximity. The diversity upon this subject that prevails amongst different nations is still greater when we come to deal with collateral successions, and the arbitrary character of the rules is still more obvious. It is impossible to reduce the canons of inheritance, which are recognized as the law of any country, to any general or leading principle without assuming some maxim not necessarily or not naturally connected with such canons."—Grady's "Hindoo Law."

must proceed from the known to the unknown. Accordingly, let us look immediately around us in the present. In the civilization of the nineteenth century, its material conditions, involving the vast wealth of society with the immensity and diversity of production, transportation, and exchange, are familiar to all observers. The social and governmental institutions by which this vast aggregate wealth is directed and transmitted are not, however, except by minds trained to legal and scientific investigation, usually the subject of much reflection. These will repay investigation. At the basis of the whole social fabric built up in this country of people associated and united more or less rigidly in such organizations as the church, the labor or trade union, the fraternal society, the partnership, the corporation, the school district, the county, the city, the state, and the nation, with its great contending political parties, exists the modern family, the smallest but most important type of government, since upon the institution of marriage and the nature of the family depend nearly all other forms of social life and social morality.

The family is based upon sexual relations, and radically upon the fact that men do not come into the world like little fishes, each ready to begin the struggle for existence without further protection, but that in the human race the helplessness of infancy necessitates the protection of the parent, thus developing a system of powers, duties, and responsibilities between husband and wife, parent and child, involving the government of the family. The family government in the United States, like other forms of government and power of all kinds, has been deprived, by altruistic development, of many early despotic features. The husband as head of the family is still a species of dictator, entitled to nearly absolute control of the property acquired jointly by the matrimonial partners, but his wife's equal interest in the community property is recog-

nized, although it is not adequately guarded, and she has no means of protection from the bad management that is often incidental to an incompetent husband's supreme direction of their possessions. The wife now possesses the right to hold separate property in her own name, and to bequeath it at her death. In some states she can transact business in her own name and retain individually its profits.

The children born under this peculiar alliance are slaves to their progenitors until the sons reach the age of twenty-one years and the daughters the age of eighteen. By law and custom the head of the family is made responsible to the community for the maintenance of his offspring during helpless infancy, and also responsible to a certain extent for injuries which his child-slaves may inflict upon others. Yet, while the children are slaves, the rights of the parent over the child he has brought into the world are not unlimited in the modern civilization. Within certain limits the parent may castigate or otherwise punish his unruly offspring, but if what the majority of the people consider extreme brutality be exhibited in this punishment, society will interfere and punish the father as it would any other culprit. Recent changes in the spirit of family government are noticeable in the restricted powers of the school teacher, who being theoretically in the place of the parent, formerly used the rod very severely with the approval of public sentiment. That approval is now slowly being withdrawn, and the use of corporal punishment, except, perhaps, as the ultimate means of controlling savage instincts, dormant or active in the mind of every child, is being abandoned in the public schools.

At the ages of eighteen and twenty-one, according to sex, the slave-children are emancipated, having, theoretically, by the service of their later years, compensated their progenitors for the labor of rearing them in the help-

less period of their early existence. Thereafter the children are no longer members of that family in a legal or governmental sense, for society imposes upon them no further restraints. Any wealth produced by them becomes their own instead of the property of their parents, and except for the usual and natural ties of affection, they are set absolutely free from the laws of the family till they become by marriage a party in a new government of this kind under the relationship of wife or husband and parent. Having thus theoretically cancelled by service their obligations to their progenitors, the children are absolved from further legal obligations to the parent, and the parent is released from all further legal responsibility for the acts of the children.

If the death of the wife occurs, the surviving husband retains absolute control and possession of the property held jointly during his life, but she may bequeath her separate property. When the husband dies, the surviving wife retains her half of the community property and he bequeaths his own half to her or to others, as he may desire. If the husband fails to make a will, the state provides a rule of succession to the property that might have been bequeathed by which the property, after reserving one-third to the surviving wife, is divided according to consanguinity, first among descendants, second among ascendants, and, after them, among collaterals under rules in which the assumption is that children are the natural successors to all wealth accumulated by their intestate progenitors, and that so long as any human beings can be found who are related by blood in any way, however remote, to the decedent, their rights of succession exclude all others, no matter what connection may have existed between them and the decedent. Finally, when the succession of consanguinity fails, the property escheats to public ownership.

This in general is the government of the family in this country at the present time, and the least knowledge of history will enable any person to understand that its despotism has been greatly modified within comparatively recent years. The slightest observation of recent legislation will also show that the transformation of family government and the further emancipation of its subordinate members are still going on. Our social institutions, based on the nature of the family, are no more stable in the present than they have been in the past, and the despotic powers of the head of the family are being more and more restricted every year, just as the similar powers of kings and queens in the larger social government have been restricted. It is generally known that not so very many years ago the husband's power over the wife, with the approval of public sentiment, extended to flogging her for insubordination ; at the present time society often meditates the flogging of wife-beaters and will scarcely permit the incensed parent to flog his child with any considerable severity, no matter what the provocation may have been. Similarly, a steady progress has been made toward conferring upon the wife social privileges of every kind exactly equal to those of the husband, and at the session of nearly every legislature in the United States some change in existing laws is suggested or enacted, embodying progress in this direction.

Remembering these recent transitions in family government, let us now investigate the nature of the family as it appeared in ancient history. The human race has preserved records of its history, more or less complete and authentic, during a lapse of time estimated somewhat differently by careful investigators, but covering a period of from five thousand to seven thousand years, and extending from the present far back into the history of ancient Egypt before the pyramids were built. The com-

parison between the ancient and the modern family can be made by selecting from any country of the ancient civilization ; but as the Roman family embodied the ideas of the past in their most distinctive type, and as its records are more complete than others, it will best serve for the example of older ideas of family rights and duties. The Roman family comprised, in its distribution of power, rights, and duties, only an absolute dictator and his slaves.¹ The head of the family, usually the oldest male in a direct line of descent, was a little king, controlling with tyrannical privileges the possessions, the occupations, and even the lives of his subjects, who comprised his wife or wives, his children, his grandchildren or other descendants, and his servants, cattle, and dogs, all being, so far as the possession of individual rights of control were concerned, his abject slaves. Sons were not emancipated by age, but were subject to the control of the father till he saw fit to confer upon them their liberty. During this period of servitude the parent was entitled to control and use all that they might produce, and he could sell their services to another man. Daughters were similarly subject to the father till their marriage, when they became the slave-property of their husbands. The identity of the wife was completely merged in that of the husband, and she had, as an individual, no rights whatever, except the right of existence ; and there is good reason for believing that in the early history of the family, even this privilege was placed at the disposal of the husband. The father in early Roman history was invested with the power of punishing his son to the final extreme of death, and instances of its infliction are recorded, although this savage idea of parental rights gave way before the later develop-

¹ A text of ancient Hindu law reads : " A wife, a son, and a slave are alike incapable of property ; the wealth which they may earn is regularly acquired for the man to whom they belong."

ment of Roman civilization.¹ The children, young or old, till emancipation, possessed no rights of contract even in marriage, and the father could select for his son a wife, or give his daughter in marriage, and there was no evasion of his decree. In the later Roman civilization, these arbitrary powers of the parent were greatly modified by advancing thought, as our own laws are now being transformed, but the record of *Patria Potestas* descends to us in sharp contrast with the modern conception of a correct family government.

It is obvious that from the time when men believed that a father could rightfully kill a son in order to control him, and sell a daughter if it suited his personal wishes, to the present era, when sons and daughters frequently almost control their parents, a great change has occurred in the nature of family government. It is reasonable, also, to conclude (as we can see the change still going on) that this progress will be projected far into the future of the human race; and, finally, to infer that similar changes were going on long before the records of the ancient Roman family were inscribed in its national history and before those people, or any other human beings, preserved records of their past.

Of the existence of mankind on earth as regarded by modern science, it is evident that recorded history reveals but a small fragment. Where civilized man now exists, his prehistoric ancestor has left among the bones of mammals extinct long before any history was written, rude

¹ "In the forum, the senate, or the camp, the adult son of a Roman citizen enjoyed the public and private rights of a person; in his father's house he was a mere thing; confounded by the laws with the movables, the cattle and the slaves, whom the capricious master might alienate or destroy, without being responsible to any earthly tribunal. The majesty of the parent was armed with the power of life and death; and the examples of such bloody executions, which were sometimes praised and never punished, may be traced in the annals of Rome beyond the time of Pompey and Augustus."—EDWARD GIBBON.

drawings of the animals he hunted and of himself pursuing them, a naked savage living apparently on game and fish. Where the finest modern machinery now whirls in complex movement, the men who lived before history was written have dropped the flint tools and weapons of early existence in quantities so great that the prehistoric life of human beings in great numbers cannot be denied, and these relics are found in places so remote from modern industry that only an immense period of time between past and present life can explain the location of such implements.

How long man has lived on earth it is impossible to prove, for none can know what the age of the earth may be in a condition fit to sustain human life. It is certain, however, that many thousands of years must have elapsed since the ancestors of the men and women clothed in worsteds and silks, who now ride in palace-cars, were naked savages trapping foxes and spearing fish to devour in their den-like caves.

In establishing the antiquity of man, it is exceedingly important that we shall possess an accurate definition of what really constitutes the *genus homo*, and at what particular stage in his progress he becomes worthy of that appellation. Man of the nineteenth century in the United States is not the man who carved his image on the mammoth tusk of La Madeleine; and man of that period was not what man must have been a thousand centuries before that time. Similarly, man of the present is not what man of the future will be. Taking any point in the existence of the human race and tracing its history backward into antiquity, we find the creature in mental and moral characteristics becoming continually more and more like the brutes whom he kills and devours. Pursuing a contrary direction and approaching the present, we find that every century raises man higher and higher above his surround-

ings. Neither the origin of man nor his destiny is, in the mind of the real thinker, solved, and he still inquires what was man millions of years in the past and what will he become millions of years in the future.

A frequent estimate of the period of man's existence on earth as a tool-using animal, is 400,000 years. Hitherto, all popular conceptions of the duration of life on the earth's surface have proved to be, when more accurate information became ascertainable, absurdly brief, and it is not improbable that eventually we shall be compelled to extend our estimate of the period of man's earthly existence into millions of years. Time is long ; and while man progresses rapidly under certain conditions, he may have remained nearly stationary in civilization for centuries under less favorable circumstances for development.

So far as history teaches, the foundation of every civilization is a barbarous condition of the race. Beyond that fact written records teach nothing, but every scrap of information obtainable from the observation of human development indicates that before the early barbarians wrote history they had already progressed by minute changes for thousands and perhaps millions of years. Modern thought regards every social organization wherever situated, and however rudimentary its form, as resembling in its nature a plant, having within itself the principle of development and change, of growth and decay, according to its nature and environment. All societies, wherever and whenever existing, whether they be Diggers of California, Bushmen of Australia, ancient Egyptians, Greeks and Romans, or Hindus and Englishmen of the nineteenth century, are organizations constantly changing with greater or less rapidity according to their environment and the period of their growth, and subject at any time to calamities that may involve their destruction. We know from written history that the people of

the United States to-day are not what the inhabitants were in 1776 in social habits, customs, and beliefs ; we know that the English people are not now what their ancestors were when the Norman conqueror subdued England, and we know that they were not then what the inhabitants of the country were when it was first known to the Romans. In a similar way we know that the Greeks of Plato's day were not the Greeks of the Homeric period, and that the Jews of the present are not such Jews as followed their flocks and herds in the barbaric pastoral life described in the early chapters of the Bible.

In pursuance of this line of thought, it is only reasonable to conclude, although we can never know the fact from human records, that the men who first inscribed the history of their deeds or the traditions of their fathers, were not, in social characteristics, like their ancestors who existed ages before their time, for it is conclusively proved that man has existed on earth thousands of years before written history was produced. Furthermore, if we consider the social existence of the very lowest tribes of human beings now known, it is reasonable to conclude that their condition, however brutish and undeveloped, when first discovered and thus made known to more civilized men, was not the identical condition under which their own ancestors lived ; for in no part of the ascending scale of human existence can we truthfully deny the law of progress.

No matter how low and ignorant and brutal the condition of such savages may have been when discovered, if we may judge their previous history by what we positively know of other human development, the same race must have once been in a condition even lower and more brutal.

The conclusion is almost forced upon us, therefore, that all social organizations may be regarded as plants, not identical in species, but allied with one another, growing

in different locations and under different circumstances. Some have only recently sprouted from whatever uncertain origin it may please religion or speculative science, or both combined, to ascribe to them ; others have developed leaves, blossoms, and fruit. How long they will continue to grow and blossom and bear, we know not ; for we cannot understand all the laws that control their growth, and of the complete life-history of such plants we have no records. Eventually, however, it is quite certain that either by the casualties of struggling growth, or by the ultimate unfitness of earthly environment, they will decay and perish.

The thought is also unavoidable that every society, like every plant, must pass through its successive stages of development from an early condition, wherein its individuals are scarcely distinguishable in their manners and customs, ideas and instincts from the brutes surrounding them, to those later conditions which comprise such wisdom and charity and humanity as are developed in the present civilization, and, consecutively, to that further condition far in advance of the nineteenth century, when the people of this age may become the barbarians, and when their descendants will look back at *our* habits, and beliefs, and social institutions, the more comprehensive thinker with a pitying, sympathetic tolerance for struggling humanity and a curious scientific interest in our history : the narrow-minded creature, solely of the age in which he lives, with a bitter aversion toward the discarded forms of the past, a blind adoration of the ancient institutions that have been retained, and an unreasoning opposition towards any new developments for the life still in advance of the human race. It can scarcely be doubted, in the light of present information, that the ancestors of all civilized races passed through the successive stages of development now indicated by the exist-

ence of savage tribes, who have already emerged from lower conditions, and who, if undisturbed by more powerful races, would gradually make further advancement towards our own civilization.

The belief is irresistible from these data, that the ancestors of every people now existing on the face of the globe, at one time lived in a condition approximating to that of wild animals, and involving a life supported by the spontaneous products of nature obtained by gathering fruits, catching fish and molluscs, and hunting game. Life was perpetuated by sexual relations not really different from those now displayed among the higher types of the brute mammalia, in which males and females of this savage existence were entirely devoid of the modern aversion to sexual relations between individuals closely connected by ties of blood. The whole social condition of mankind in that period may be estimated in the expression that peaceful humanity resembled deer, and warlike humanity tigers.¹ It is only necessary to refer to the actual sexual relations existing in many savage tribes when first discovered, to the history of ancient Egypt, Greece, and Rome,² and to portions of the Hebrew records³ to comprehend how closely the ancestral humanity of which we have written records approaches this early condition. Even in recent years we can note the slow growth of an aversion to the marriage of first cousins, and see clearly that no such aversion existed in the past.

Under such a system of indiscriminate cohabitation

¹ I understand that some advanced thinkers are loath to accept these conclusions, but they cannot be rejected unless we are prepared to assume that the lowest savages known to civilization were created in the exact condition in which they were discovered, and that the universal law of progress did not apply to their previous social condition.

² "In Egypt, the marriage of brothers and sisters was admitted without scruple or exception; a Spartan might espouse the daughter of his father, an Athenian that of his mother; and the nuptials of an uncle with his niece were applauded at Athens as a happy union of the dearest relations."—EDWARD GIBBON.

³ Leviticus xviii., 27.

and reproduction, it is evident that paternity is indeterminate, just as it is among domestic animals roaming at large; and accordingly in many rudimentary forms of society we find that descent from one generation to the next either is or has been traced in the female line for the very good reason that no other method is originally possible. Sometimes traces of the former custom remain in the language long after the sexual relations that caused it have been abandoned. The elimination of sexual relations between individuals in a direct line of descent appears to be the first development toward the family, but their retention indiscriminately among those of the same level of descent continues, the individuals being related in various ways or not related, according to modern systems of consanguinity, but all being regarded in their own system as brothers and sisters, each having a mother and regarding all the males of the older grade as fathers. Thus, under such a system, all the men and women of one grade are husbands and wives and at the same time regarded as brothers and sisters, each having one mother but many fathers. Every male in any grade is in theory the son of all the men above, and the father of every child in the grade below.

The modern aversion to these primitive sexual relations between consanguineous associates is one of the advances in morality that the race has accomplished. Observation of the ill-effects involved in transmitting life from a father and mother nearly related may have effected the change in sentiment; and like other changes the transition is still going on. Ultimately it will involve a strong feeling of duty, not now generally existing, that every child has a right to be well born, and that the evil effects of consanguineous marriages are only one form of a thousand other ills that are inflicted upon an innocent posterity by the sins and the ignorance of the parents. Men

are now changing their ideas every day about sexual relations, and so their ancestors changed theirs in the past. Hence, in this line of progress, we next find the abandonment of sisters as wives. In a later stage, the brothers, real or assumed, of savage association, possess one or more wives in common, but they obtain them from other tribes, and the moral principle of not taking a wife from within the small family tribe becomes firmly established, a species of marriage exchange being arranged between contiguous tribes, whereby each obtains its women from the others, the males remaining with the tribe where they were born and the females invariably leaving it on their marriage and becoming identified with the tribe of the husband or husbands. Indiscriminate sexual relations of men with women not related to them afterward became transformed, probably by the development of the affections, into forms more or less resembling the monogamic marriage of our present civilization. Nothing is more evident in the study of early institutions than the fact that no such sentiment as love (beyond the parental instinct or the sexual passion) exists in the savage's mind, and he being incapable of the thought or feeling, it found no expression in his social institutions.

Humanity in its early social forms is in all parts of the world found organized into little groups of people allied by ties of blood, descended either actually or theoretically from a common ancestor, and headed by a chief, who is ordinarily selected for a leader by the males of the group. Such a group may be termed a great family, inasmuch as it comprises a number of men related with one another and possessing wives and children under the very lax sexual relations of such social development; but the Latin word *gens* applied in Roman history to a later form of this social organization is a brief expression that is often used to designate the little family tribe of primitive

society. In various forms of development and transition the gens has been observed in the social structure of nations in all parts of the world. After the abandonment of sister-marriage, the usual features of its organization are : a membership composed of males allied by a common descent ; the establishment of a chief by selection or descent ; an obligation of its members not to marry in the gens ; common property and common inheritance by all members of the gens in everything possessed ; a common name for all members ; provisions by which strangers could be adopted into the gens ; and religious ceremonies common to the organization, usually embodying ancestor worship.

The features most striking in this early organization are the obligation, invariably reached sooner or later in the development of the gens, by which marriages among its members are prohibited, every man, whether he has one wife or many, or whether wives are communal in the gens, being required to procure her from another tribal family ; the absence of any private rights of ownership, their land being the common property of the gens, and personal effects the common property of the family within the gens ; and, finally, the existence of a common name by which all members of the gens were known, each being further distinguished by a qualifying addition to the tribal appellative.

In America the Iroquois exhibited a fine development of this tribal organization, being organized into numerous gentes, which were again grouped into somewhat larger organizations, then into still larger tribes, and finally into a confederacy. If they had remained undisturbed by the whites, the process of political development would have doubtless gone on till they formed a powerful Indian nation under a monarch. Everything that is known about the organization of the Aztec government indicates

that it was formed by the consolidation of such tribes, the process having been extended farther under a more highly developed civilization than the Iroquois achieved. Abundant evidence of the early tribal organization still exists among the poorer classes of Mexico and is preserved in their traditions. Mexico to-day is an association of clans developed to about the status of the clans of early Scottish and Irish history, characterized by all their fierceness, jealousy, tyranny, and vindictive passion; acknowledging the absolute supremacy of tribal leaders or family heads; and occupying in their *haciendas* lands corresponding to those of the ancient Roman gens or the tribal possessions of the Iroquois. It is the condition of a primitive race whose early religion and social customs have been thinly veneered by the forms of Christianity and the outward semblance of a republic, but in which the habits and customs, the inner religious faith, the family life, the sexual relations, and the ethical ideas all indicate the imperfect and incomplete transition from the forms of social life that have been described. The Mexican governor is a barbarous chief, the judge is a petty despot who rewards and punishes without conception of equity, the marriage relation is only one degree removed from indiscriminate tribal sex relations, and men who are not relatives owe to one another no duties, barring theft and murder.

The early history of Greece and Rome shows plainly the organization of this family group, and its effects extended far down into the history of their civilization. In more modern Europe, the clans of Scotland and the septs of Ireland, countries famed in song and tradition for the Mc's and the O's, as remnants of the common gens names, were relics of the condition which existed universally in earlier social history.¹ The patriarchal family of the

¹ "The collective ownership of the land by groups of men either in

Bible is the pastoral form of a more highly developed gens than the savage organization. Going back into the history of Egypt and Assyria, the same community of family property can be recognized after the destruction of other features of gens organization, it existing side by side with descent in the female line, and to some extent with the marriage of sisters, all relics of a savage past surviving in the midst of a well-developed civilization. In Hindustan all the essential features of the gens survive to this day, and its traces can also be found among the Chinese.

The village community of India, another form of which is now perishing in Russia, is a developed form of the gens applied to agriculture. The German mark, traces of which still survive in Europe, was an expiring form of the same social organization giving way before the development of wealth. The village community of India, under which the possession of wealth has been adjusted for many centuries, is a group of people, not necessarily confined to a village, but inhabiting a district of several thousand acres resembling in its extent what are termed townships in the United States. The inhabitants of this district usually live in a small town, but the village community is the people and the entire territory they possess. The community comprises a number of families usually allied by ties of blood, each living in a separate household, but closely associated in a village near the lands they cultivate, which are occupied and used as common property. Within the household, property rights are common in the family; within the community the rights to land are common to all members, and its use is apportioned among the families of the community, a

fact united by blood-relationship, or believing or assuming that they are so united, appears to have once been the primitive or early condition of every nation"—Sir Henry S. Maine in "Early Institutions."

right of use being guaranteed to all, and the apportionment being made by general agreement or by authority delegated to a chief. The Russian community, which has now given way before the universal advance of private ownership under the development of wealth, was a very similar social organization, the inhabitants of the village assembling once in every three years to re-district their lands among the families.¹ To arrive at the structure of these village communities from the savage gens, we have only to imagine a people like the Iroquois already organized into the gens, and even into a confederation, abandoning gradually their life of hunting, fishing, and roaming, and substituting for it an existence by tilling the soil. At the time America was discovered, agriculture had already appeared among the Iroquois in the cultivation of maize; and had their progression been undisturbed by invasion, it would have developed into forms of life more or less resembling the village community, when the growth of population and the arts stimulated agriculture and lessened the opportunities for hunting.

It seems evident from these instances of social organization, that men have become allied into families, families into groups of kindred, wherein strangers might be adopted, and these groups into tribes and confederacies from which nations and national government were evolved. In the early stages of this social evolution, when property was extremely limited, no such thing as a will was known. The idea of wealth in the ancient family and in the larger family group, was that of communal

¹ "In the Hindu Joint Family everything is common. No member can say where he has rights separate from the others. In the House Community of Croatia, Dalmatia, and Illyria, the land is communal, but there is private property in movables. In the true Village Community the land is only held partly as community property. The people live in separate houses, and are on the verge of private property."—MAINE.

possession. Land was communal in the gens, and personal property communal in the family. Distinct from this subordinate idea of wealth, however, was the idea of authority. Over each gens ruled a chief whose will was law so long as he continued in that position ; and over the family ruled its head, usually the oldest male, whose will within his jurisdiction was also supreme. Society among savages was normally militant, the head of the family being a captain, the chief of the gens a colonel, and the great chief of the tribe a general, all being officers who did not personally own the possessions under their control more than the officers of a modern army own its cannon and camp stores, but who were authorized by the people to direct their movements in war and to adjust their differences in peace. To comprehend the development of social institutions, it is often necessary to remember the distinction between authority and ownership.

In the family, the eldest son usually succeeded to the father's position at the head on the death of the latter, unless there were important reasons for altering the succession, just as the heir to the throne succeeds in an hereditary monarchy, which is merely the application of the ancient family idea to a larger government. The oldest son succeeded, not as owner of the family wealth, but as leader, a position for which he was theoretically, and often actually fitted by age and experience in the practical duties of life. Under the universal law of the gens prohibiting marriages within its limits, each son was compelled to seek a wife or wives from a neighboring gens, and each daughter to marry into another family tribe, if she married at all. Thus the daughters went out of every gens and became members of those into which they married, while the sons remained within the original organization and brought their wives to it. As all land

was communal in the gens, there arose in this way, after the institution of marriage outside the gens, the necessity of barring descent of wealth through females, because by their removal from the gens at marriage they would inevitably transfer the communal wealth from one gens to another, which was contrary to the savage theory of wealth possession. From this condition undoubtedly arose the system of descent through males alone, which succeeded the earlier tracing of descent through females, and which is so entirely different from modern ideas of consanguinity, tracing through both males and females. Under the name of agnatic kindred, descent through males formed a prominent feature in the Roman laws. While that system of descent absolutely prevailed in Rome, it is evident that the people had recently emerged from the primitive tribal condition, and, like all other human beings, they retained the custom of succession long after it had lost its real significance and use. The singular persistence of customs beyond the time when they are actually needed, or when they serve any useful purpose, is illustrated by the survival to some extent of primogeniture in England long after it has been abandoned in other parts of the world.

The communal principle of the gens and family is illustrated by the emancipation and inheritance of sons in the Roman family. The son was freed by the power of his father, but thereafter was incapable of inheriting any portion of his father's possession, the inheritance being confined to the unemancipated sons. Rightly considered, the emancipation of a son was the budding of a new family from the parent stock. The unemancipated son was the soldier-slave of his father, but, nevertheless, he possessed his acknowledged right to an interest in the communal wealth if he remained in the family. On the other hand, if he chose to give up communal family

relations, he might, on emancipation, become the head of his own family, but he was forever cut off from further rights in the little communal group he had abandoned.

In every country the traces of extinct social institutions have survived in the systems of succession, the best example being found among the Hindus, who have, in a peculiarly unprogressive way, retained their early institutions almost unchanged. When the English people took possession of Hindustan, wills were unknown among its inhabitants. Since that time testaments have been slowly introduced, but the faithfulness of the race to its early institutions does not readily give way. The communal property of the Hindus has already been described. Their family organization is patriarchal in its nature. The father is a leader, and the wives and children are his subjects, apparently his slaves, but really existing in the communal possession of all property. Fathers and children, or even grandchildren, sometimes work together for generations, holding communal property without any division. Instead of initiating new families, as the Romans did by emancipating a son, the Hindus accomplish the same thing by a partition of family property whenever the needs of their existence may require it, or at the demand of some member either at or before the death of the father. Women in the Hindu family are exclusively dependents, having the right of maintenance but not of inheritance, the property being divided equally among the sons, who are charged with the support of the females. Notwithstanding this condition of the woman, however, she has, under the name of *stridhāna*, exclusive control of gifts from her husband or near relatives, although her earnings are a part of the common fund. The form of the Hindu family is greatly due to the religious faith of its members, which involves the worship of ancestors in a form somewhat more rigorous than that manifested by other conser-

vatives of this country. The futurity of every Hindu is supposed to be endangered by the torments of a hell called *Put*, from which he must secure exemption by the birth of a son, who will redeem him from eternal suffering, partly by the mere fact of his birth and existence, partly by performing certain ceremonies after the father's death. Sons are accordingly in greater demand in Hindustan than among other people, in France for instance, and when the natural succession fails, artificial sons are created to fill the vacancy and perform the funeral rites. To accomplish this, the fiction of making a son by adoption is universally established, by which the son of some other person, usually a relative of the man without male offspring, is transferred into the latter's family, so that the terrors of *Put* may be extinguished. The theory of adoption is a change of paternity. It is done by the consent of the real parent, and can only be effected when a man is without male issue. The religious idea involved in the transaction is that the Hindu owes a debt to his progenitors, presumably for their having produced him, which can only be extinguished by the birth of a son, real or fictitious. Among the Hindus the word son applies to all male descendants, and the word parent to all progenitors. All the features of their social system show that it is the survival, somewhat developed, of tribal and family relations such as existed among the American Indians, and such as appear to have been at the foundation of social institutions in every part of the world.

The Mohammedan laws of succession are more highly developed than those of the Hindus, and in the restraints they impose upon both the power of the testator and the succession of the natural heir they are in advance of the usual laws adopted by Christian nations; for, on the one hand, the vindictive father cannot entirely disinherit his

child, and, on the other, the rebellious child, devoid of filial duty, cannot succeed to all of his father's property regardless of the latter's wishes. The principles of this law bear comparatively few traces of ancient institutions, and they are founded upon the following passage from the Koran :

“God hath thus commanded you concerning your children. A male shall have as much as two females ; but if they be females only, and above two in number, they shall have two-thirds parts of what the deceased shall leave ; and if there be but one, she shall have the half ; and the parents of the deceased shall have each of them a sixth part of what he shall leave if he have a child. But if he have no child, and his parents be his heirs, then his mother shall have the third part ; and if he have brethren, his mother shall have a sixth part, after the legacies which he shall bequeath, and his debts shall be paid. *Ye know not whether your parents or your children be of greater use to you.* This is an ordinance from God, and God is knowing and wise. Moreover, ye may claim half of what your wives shall leave if they have no issue ; but if they have issue, then ye shall have the fourth part of what they shall leave, after the legacies which they shall bequeath and the debts be paid ; they also shall have the fourth part of what ye shall leave in case ye have no issue ; but if ye have issue, then they shall have the eighth part of what ye shall leave after the legacies which ye shall bequeath and your debts be paid ; and if a man's or a woman's substance be inherited by a distant relation, and he or she have a brother or sister, each of them two shall have a sixth part of the estate ; but if there be more than this number, they shall all be equal sharers in a third part, after payment of the legacies which shall be bequeathed, and the debts without prejudice to the heirs. They will consult thee for thy decision in certain cases : say unto them, God giveth you these determinations concerning the more remote degrees of kindred. If a man die without issue, and have a sister, she shall have half of what he shall leave, and he shall be heir to her in case she leave no issue ; but if there be two sisters, they shall have be-

tween them two-third parts of what he shall leave ; and if there be several, both brothers and sisters, a male shall have as much as the portion of two females."

These teachings are not in appearance the slowly transformed social customs of ancient races, but the work of one of the ablest lawgivers (so far as laws can really be *given*) that ever existed. Enunciated at the early period of Mohammed, his doctrines are a credit to the intelligence of the Prophet, for, except in their preference for males, they provide a tolerably just distribution of property among survivors of the same family. Under the Mohammedan laws based on the Prophet's teaching, claims against the estate are paid in nearly the same order usually approved in the United States, funeral expenses coming first, then ordinary debts, and finally legacies within prescribed limits. All kinds of property are inherited alike. Private property exists except in the limitation of making wills. When he is in health, a man can give away his property to the exclusion of his natural successors, if he desires to do so, but deathbed gifts are not lawful beyond one-third of the clear residue of the estate after payment of funeral expenses, and are not binding upon lawful heirs beyond that amount. All legacies in excess of this proportion are invalid unless confirmed by the heirs after the death. Acknowledgments of debts in favor of an heir on the deathbed are void, and any gift made in contemplation of death is treated as a legacy, conveying one-third of the residue, but no more. A man can give away all his property when in health, and it is valid. If he gives it away when he is sick and afterwards recovers his health, the gift is valid. But if he dies in consequence of the sickness, the gift applies only to the amount he is permitted to bequeath, and the remainder goes to his heirs. By permission of the heirs,

legacies of any amount can be made, and when no heirs exist, the whole estate can be bequeathed.

The Romans, at the time their unreliable early traditions were first preserved in the form of history to be handed down to men of a later era, were apparently a people who had reached a development similar to that of the Aztecs when Hernando Cortez interfered with the natural development of that race by his invasion. These Romans were slightly modified savages, having the capacity and conditions necessary for rapid development, and they advanced far more rapidly, it is probable, than the Aztecs would have done had they remained unconquered by the Spaniards. In the earliest periods of Roman history the people were associated into clans or gentes, very similar to those small tribal organizations of aggregated families which existed under another name among the Iroquois. If all the males of a modern family bearing the same name and related, however distantly, could be collected into one place and compelled to live near one another in a communal association, with their wives and children, the result would express the idea that should be entertained of the gens, whether among savages now existing or among the ancient people of Europe and Asia. Where these pages are written there still exist remnants of the gentes into which the Diggers of California were organized, each having its defined territory, its elected chief, its communal property, its ancestor worship, and its slight differences in language from other gentes formed in adjacent territory. In a mere fragment of one of these family tribes still remaining, the succession to the position of chief is a matter of serious discussion among the few remaining members, for the present leader is feeble. The Diggers and the far superior Iroquois were both much below the advancement reached by the ancient Romans in their earlier history, so far as industrial progress is con-

cerned ; but in governmental conceptions, the Roman gens was identically the same social organization that existed among the Indians.

In all the early history of the Romans, no such thing as a will was known, and the small amount of wealth accumulated by the barbarians was communal in their tribes and families, progressing downward from generation to generation, within the gens primarily, as one organization, and within the family secondarily, as another. The head of the family was its leader, and its women and children were slaves. Infanticide was common when children were not desired, and women were beaten and otherwise abused worse than domestic animals are in the present age. But little wealth existed, and individual or distinct rights of property, except perhaps in trifling articles of personal contrivance, were not recognized. Every member of the gens was supposed to divide his possessions with any other member if the latter needed the gift. Between these little tribes war often existed, and the fraternal feeling usually exhibited in the family tribe was in sharp contrast with the treacherous, vindictive, bloodthirsty spirit displayed toward strangers. Man's feelings in that age were expressed in a tiger's protection of its whelps, and a tiger's destructive instincts toward everything not possessing its own blood.

Under such a system, the family possession of land and other wealth continued indefinitely, and new members merely took their natural places, or if there were divisions, the principle of equal rights among male offspring, or males in the order of consanguinity, was recognized.

The first wills introduced in Rome were merely the transfers to successors of positions involving powers and duties without regard to wealth, for the idea of property

was scarcely recognized in the transaction. The family was a little government, and the head of the family was its king, controlling all his descendants, old and young, and thus superintending the management of the communal possessions. In every monarchy the succession to the throne is a great question that agitates the minds of the people when the established line fails ; and so, in the little monarchy of the ancient family, nearly the same the world over, the leader who reached old age without male issue must provide a successor in that case or in any other when the regular succession became inadvisable or impossible. Out of such circumstances arose the first wills, which were made in early Rome only when no heirs existed. These wills were executed and the succession passed with great solemnity before the death of the testator, probably in many cases before he was even dangerously ill. They were also irrevocable, and the entire transaction was apparently the abdication of a little family monarch in favor of a particular successor, by and with the consent of the people he governed. At first the idea of property was scarcely connected with the Roman testament, but in the final civilization of that people the will became secret and revocable, assuming the modern form of giving wealth at the death of the testator.

The early principle of appointing a successor was continued in the Roman laws long after the idea of power had lessened by civilization and the idea of property had increased, for the later laws always recognized the doctrine that the heir was a successor under the theory announced in the saying that "the king never dies." Under the Roman law the person who became the dead man's heir, was in a legal sense the dead man brought to life for another existence. The heir was a "universal successor," and, if he accepted the position, was com-

pelled to pay all the lawful debts against the estate, even if they amounted to more than its value. After considerable wealth developed among the Romans, with its invariable accompaniment of private ownership, and when wills became firmly established as a means of disposing of that wealth by gifts at the death of the owner, the heir seems to have been what our modern laws term an executor, who, under the Roman methods, received as his compensation for settling the estate, the somewhat uncertain value of whatever might be left after he paid the debts and distributed the bequests, instead of receiving his compensation in the form of a fee, according to the modern system. As wealth accumulated under the Roman civilization, the original nature of the will as a mere transfer of leadership was transformed gradually into a method of giving away wealth at death, and in its final development among that people, the privilege of making wills became very similar to our modern system of legacies, the Roman law furnishing the basis for modern statutes. Deathbed gifts in Rome were, however, finally limited to three-fourths of the estate, because the decedent who made too many and too liberal bequests might not be able to secure the heir-executor or "universal successor" to distribute the property, for under the compulsory payment of debts regardless of the amount inherited, the heir's position was frequently not desirable, and bequests were invalid unless a successor to the dead man would take the property, pay the debts, and execute the bequests.

The remnants of the ancient savage organization of the family tribe clung to the laws of Rome far into its civilization, for the emancipated son, originally cut off justly from participation in a communal family, because by emancipation he himself was made capable of becoming the head of another family, was, long after the develop-

ment of private property, still deprived of all inheritance, notwithstanding the reason and the justice of the disinheritor had passed away with the decline of communal property and the development of wealth. Finally, the inconsistency was obliterated by a change in the laws making emancipated sons capable of inheritance.

The principles of inheritance among the Romans were those usually derived from the structure and theory of the ancient family and the gens of associated families. So far as wealth was concerned, in all cases before wills were developed, and in cases of intestacy afterwards, the wealth held exclusively in the family under the direction of its leader went, first, to the direct male descendants not emancipated ; second, to the nearest agnatic kindred, or relatives descended with the deceased exclusively through males from a common ancestor ; third, to the gentiles, or members of the little family tribe in which all bore the same surname, the principles being based upon the ideas that property is at first communal in the family and then communal in the aggregation of families constituting the gens, with the additional idea that when daughters marry they are cut off completely from the original family to become a portion of another family and of another gens, so that no inheritance can pass into another family tribe through the blood of females. During their barbarous condition, the line of descent among the Romans was through males exclusively, females being dependents ; but in their final civilization the rule of inheritance made no distinctions in age or sex among descendants and eventually included emancipated sons among heirs, thus showing the decay of early institutions. The principle of primogeniture as applied to property in the period succeeding the Middle Ages formed no part of the Roman idea of succession to wealth.

In their earliest history the Greeks of the Homeric period appear in a nearly savage condition and were associated

into little tribes of bloodthirsty marauders,¹ remarkably like the gentes under which the Iroquois were organized, and having the same characteristics of common property, external marriage, and a common name based either upon an actual or an assumed descent from a common ancestor. The little states of ancient Greece undoubtedly arose from the consolidation of neighboring clans, as the Aztec government was formed by the union of distinct tribes. The tribes of the Iroquois were ready to develop into a similar condition when the discovery and colonization of America stopped their further progress.

In early Athenian history, the descent of property to males exclusively was a cardinal principle, the direct descendants being the preferred successors, and the women held as dependents. The succession went to males even if the women who survived were more closely related to the dying man. The perpetuation of the family in name and power was at the basis of their laws, and, as among the Romans, the adoption of sons, where a natural heir did not exist, was not only a privilege, but a duty. As among the Hindus of to-day, this ceremony virtually engrafted a scion of another stock into the broken family tree that it might continue to bud and bear fruit. The absolute dependency of the Grecian women is illustrated by the fact that when a husband died, his widow had the option of returning to her former guardian or of remaining with her children, but in neither case could she retain control of any family wealth. Still the females were pro-

¹ Describing ancient society, Sir Henry Maine says: "The scene before us is that which the animal world presents to the mental eye of those who have the courage to bring home to themselves the facts answering to the memorable theory of natural selection. Each fierce little community is perpetually at war with its neighbors, tribe with tribe, village with village. The never ceasing attacks of the strong upon the weak end in the manner expressed by the monotonous formula which so often recurs in the pages of Thucydides, 'they put the men to the sword, and the women they sold unto slavery.' "

tected and had the right of maintenance, for when the succession went to the male heirs according to the ancient rules, the females otherwise unprovided for were empowered to demand marriage of their nearest male relative or to compel him to settle upon them a dowry proportioned to his means. When bequests were introduced in the time of Solon, who probably only formulated in the law a custom already established, the power of bequeathing could be used only when the testator had no male heirs, and even then it was valid only when the legatee was forced to marry one or more of the female descendants. The principle involved, like that embodied in the early Roman will, was the idea of providing a successor in the leadership of family government. The nature of Grecian ideas of inheritance can be observed in the present laws of the Hindus, which have been preserved among that strange people, almost stationary in their civilization, from a remote antiquity. The succession in both instances is merely the progress of the communal family, growing at one end while it perishes at the other, and maintained, if possible, by the fiction of adopting sons when the natural succession fails.

Among the Hindus, whose village communities, or agricultural gentes, have already been described, the ancient principles of inheritance still survive. The sons succeed equally to the possession of the family wealth on the death of the father, the eldest obtaining a few heirlooms in honor of his position as head of the family, and the women are treated as dependents having the right of maintenance. The theory of Hindu wealth being that of a family possession in which all members of the family have by the mere fact of existence a communal right, with the additional right of partition and separation under certain circumstances, it will be at once seen that under such principles modern wills are an impossibility. When

natural successors are lacking, the Hindu supplies the deficiency by adopting a son instead of naming an heir in a will ; and this act, performed with great ceremony, does identically the same thing originally accomplished in Greece and Rome during the lifetime of the testator with equal ceremony by means of the ancient will. The Hindu never had wills, because their form of adoption sufficed to provide new family members when the natural line of descent failed ; and for some reason, perhaps the enervating effect of a warm climate, they have retained their ancient religion, with its reverential worship of the ancestor, and have never developed into the greedy, bustling accumulation of wealth under private ownership characteristic of western civilization.

In China the laws and customs of inheritance are very similar to those of the Hindus, involving the worship of ancestors as a duty devolving upon the eldest son on the death of his father. The family organization extends to members of all ages, the males having control of the property and the females being dependents, although the mother is revered, and practically is given much control of the family possessions. The partition of family wealth is often made during the life of the father. When no division occurs till his death, the partition, if made at that time, gives to the eldest son the leadership of the family, the obligation of worshipping at the ancestral tablets, and the duty of providing for his surviving mother. In compensation he receives certain heirlooms and also twice the portion of wealth allotted to each of his brothers. Unmarried daughters have the right of dowry on marriage. When the family property is small it is often held in common for several generations. Adoptions occur as among the Hindus, and there exists the same dread of dying without a son to burn incense and perform other ceremonies for the father's welfare in the next world. The primitive organization of

families in the gens is still to be observed in China, and the nature of inheritance is in accordance with those early institutions. Their land is still held under the public ownership characteristic of the tribal organization, and public rents or taxes are collected for its use without the existence of any absolute private ownership.

The Bible, in its early history of the Hebrew race, furnishes interesting indications, although no connected history, of similar principles of succession among the families of a gens. The eldest son among the ancient Jews had a double portion, corresponding to the present custom among the Chinese, and it is probable that this favor and his succession as head of the family constituted the birthright mentioned in Genesis. The story of Zelophehad's daughters ¹ furnishes, however, the clearest indication of social developments of that day among the Jews. Zelophehad died, leaving five daughters but no sons. The daughters came before Moses as the chieftain of the federated tribes, petitioning that they should receive a "possession among the brethren of their father." The lawgiver thereupon directed that the daughters should receive this possession, and established a plan of inheritance passing the wealth of decedents, first to sons, second to daughters, third to brothers, fourth to uncles, fifth to the nearest kinsman beyond these degrees. There was more trouble, however, over these ancient probate proceedings, for the leaders of the gens to which the daughters belonged, afterwards came to Moses and complained that if the inheritance descended to the daughters it would pass to another tribe when they married, which was evidently, from their remarks, contrary to Hebrew custom and all previous ethics, as it disturbed and made inequitable the allotment of tribal possessions. Moses, accordingly, to avoid these difficulties, decreed that the

¹ Numbers, chapters xxvii. and xxxvi.

daughters of Zelophehad, and all other daughters receiving an inheritance thereafter, should marry within the tribe of which they were members, instead of following the usual custom of marrying into another family group. The five sisters, following these directions, then married their cousins, and the new era in the Hebrew law of inheritance was established. The story indicates the existence of family clans, each with communal property, descent and leadership in the male line, dependency of women and obligation to marry outside the clan. The decree of Moses was a step forward, changing the primitive rule to another in favor of woman's rights. Had the lawgiver been a conservative, he would have rebuked the daughters of Zelophehad when they made their request, and would have given the property to the male collaterals in accordance with the good old laws of every race of barbarians whose records have been investigated. The only surprising circumstances connected with the change thus recorded is that the people of the aggregated tribes omitted to denounce Moses as an anarchist, an inconvenience which he escaped owing, probably, to the general impression that the new social doctrines emanated from the Lord.

The history of ancient Egypt, deciphered from the picture-writing of that people,¹ reveals the same indications of early conditions, the children of these ancient families being regarded as partners in the family possessions from the instant of their birth. The eldest son, or in some instances the eldest daughter, for the condition of women in ancient Egypt seems to have been unusually favorable, ordinarily succeeded the father as head of the house, but wealth was held by the leader in trust for the entire family, and the preference extended to the eldest was merely as leader and not as owner. The wealth of the

¹ See "Primitive Civilization" by E. J. Simcox.

family formed a common fund for the equal advantage of all members, and the mother of the family was accorded an unusual power in directing the use and expenditure of the family possessions. The early system of the Egyptians was very similar to present customs among the Hindus, but later in their civilization wills were introduced and executed with the solemnity usually attached by the ancients to such transfers, six witnesses being required to attest them. The little that is known of the ancient institutions of Chaldea and Assyria indicates that the social customs of these nations and their ideas of property and succession were nearly identical with those of the Egyptians. The two most noteworthy characteristics of the latter people in this respect were the practice of marrying sisters, which was very common, and many indications in their records that they had traced descent in the female line. The early customs of a savage existence must have descended far into their civilization, there forming some of the strangest anomalies discoverable in history.

The development of successions in antiquity having thus been traced, some consideration is due to the long period succeeding the downfall of ancient civilization, which is termed the Middle Ages. In the later stages of this period applied to European history, primogeniture is the feature which characterizes the descent of property under the feudal system, and the practice of entailing estates is another peculiarity unknown in its extreme features alike to the ancient and to the modern civilization. The student of social progress will have little doubt that both these customs formulated into laws were gradual transformations of the ancient idea of family and tribal government, but the exact nature of that transformation has been the subject of much discussion. By the principle of primogeniture the eldest son succeeds to all

land at the death of the father, the other children inheriting merely their shares of personal property. Under the ancient system all sons were supposed to have an equal right in the family wealth, and all members of the gens an equal right in the tribal possession of land. At first there appears no connection between these principles of the ancient family and primogeniture, the latter appearing radically and strangely different, but the transition may be indicated.

In all ancient history and in all the customs of savage tribes, leadership, when hereditary, as it invariably was in the family, went first to the eldest son. In the existence of savages and barbarians, where the normal condition is war, leadership is everything and property nothing. In our modern industrial civilization, leadership is nothing and property everything in the normal condition of peace. Hence we fail to comprehend the spirit of the past on account of our associations in the present. When the roving barbarians whose descendants now inhabit western Europe swept over that territory, conquering the earlier inhabitants and subjecting them to feudal rule, it is evident that they were aggregations of tribes very similar to those formed among the Iroquois, who had perfected governmental relations to the extent of forming a confederacy of large tribes, each composed of numerous smaller organizations. These European barbarians had advanced beyond the Iroquois in the arts, but their government was still similar, for the researches in early German history indicate a condition like what has already been described as existing in Greece and Rome. During their period of migration, it is to be remembered that they were constantly marching and fighting. Even after they had settled upon the conquered lands and apportioned them among the little tribes or gentes and the greater tribes forming their organization, the constant warfare

was still maintained, and the traditional emblem of the feudal ages to this day is a warrior cased in iron armor and strutting to battle with sword in hand.

In such a condition of society, leadership and organization become so prominent as to subordinate everything else, including wealth. We have only to imagine an invasion or a civil war in the United States, to realize what a vast change the militant spirit and the necessity of fighting effects. To conquer the invaded territory it was necessary for the feudal tribes to organize and unite under a military system that would enable them to join forces against their enemies. Out of this necessity must have developed the feudal system under which every man except the chief of the aggregated tribes had a superior, and every man except the merely subordinate members of the family unit in this aggregation had inferiors. The nature of the feudal organization was identical with that of a modern army, and it was organized for the same purpose. There were a chief and sub-chiefs like the general and his colonels, with duties that the inferior must perform at the command of the superior, and the duty of protection on the part of the chief to those under him. If we can imagine the tribes of the Iroquois in North America organizing and marching southward to conquer the Aztecs or to dispossess other Indian nations, the necessities of such a movement would inevitably lead to a feudal system.

The wealth of the feudal system still remained communal ; but to maintain their military organization it was necessary that the superior should direct the selection of his subordinates, to secure prompt obedience as in the modern army. Accordingly, in the distribution of the conquered lands, the chief—whether styled count, marquis, or duke—at the head of a confederacy was empowered to allot feudal land tenures among his subordi-

ates, representing in his own powers the entire people, and requiring duties from the subordinate officers, who represented in a similar way the people of their own smaller tribes as a colonel represents a regiment. The supreme leader was not regarded as the owner of the territory occupied by the confederacy, however, any more than the queen of England is now really believed to be the actual owner of English lands ; but in his position as leader he represented the rights of the entire people.

Accordingly the lands were distributed to the tribal chiefs as representatives of their clans, and at first they held at the pleasure of the superior and were required to perform military duty at his command. This was all that was ever contemplated by the organizers of the feudal system, but the descendants of the early barbarians found changed conditions, and the feudal system changed with them. Later on the feudal tenures were held for life, and the family principle of the eldest son's succession as family leader was applied to the command of the tribe, from which it has been extended to descent in all the royal families of Europe. As the condition of Ishmaelitish war gave way to the arts of peace and the development of wealth, the condition which caused the development of the feudal system led to another which caused its decay. Feudalism was made by war and rapine ; it was unmade by peace and industry. Instead of military duties, therefore, the subordinate chieftain, when war partially ceased, was required to pay to his superior a part of the produce of the land occupied by his clan, or a sum of money as rent for its use. No less than eighty different forms of feudal rents have been enumerated, from a merely nominal value to one nearly equal to that of the land itself. This change in the nature of the services rendered for feudal tenures was coincident with a

change going on among the people. They were abandoning constant warfare for the arts of peace. Their castles on the crags were gradually deserted that more convenient locations for industrial pursuits might be occupied. Murder and rapine, as the most honorable pursuits in which gentlemen could engage, according to the feudal code of ethics, gradually seemed a trifle less honorable in their estimation. Frequent association between adjacent clans slowly removed that brutal spirit universally characteristic of undeveloped human beings, which leads man to hate every idea different from his own notions, and detest every other human being not like him, or not of his own contemptibly insignificant little political and religious clan.

In a word, the people ceased fighting to some extent and went to work. Out of this work arose wealth, and out of the wealth came the changed nature of their feudal leaders. In war they were generals. In peace they became owners. The whole social system was in a state of rapid transition when the industrial arts were exchanged for the arts of war, and private rights to wealth were slowly substituted, by divisions within the families and the clans, for the earlier communal system. When, therefore, the idea of communal property was being abandoned everywhere, it is not strange that the communal ownership by the whole people in a district governed by a chief should be gradually transformed into an ownership by the chief personally and absolutely. When comparative peace superseded constant war, leadership became nothing and ownership everything; hence we find the man who entered the feudal system at its beginning as an officer in command, coming out of it in the form of his descendant at the close with the rights of an owner. In the transition from common to private ownership every man acquired a private right in what he

controlled, and the feudal leaders were no exceptions to the general rule.

During this transition the right of the feudal proprietor, at first held at the pleasure of his superior and afterwards for life, became eventually hereditary. From rendering merely military service at first, he finally paid rent. As the desire for leadership gave way to the universal desire for property, he was invested with a right of naming a successor in the ownership of wealth, the privilege being gradually extended till at the present time in England, where the change from the feudal system has been most gradual, the power of making bequests is unrestricted.

Out of the feudal system developed the theory and practice of entail, which under the modern conception of human rights appears one of the strangest customs that ever existed. Theoretically, under its power the man in control of a tract of land could originally establish its continued possession in the hands of his natural successors in any line of descent, usually bestowing it on the eldest sons of the family, thus securing a control of it over unborn generations to perpetuity. The successive descendants had the right of occupancy and use, but were merely tenants and could neither sell the land, mortgage it, nor give it away, nor at death do anything but abandon it and allow the next successor to take his place. Regarded as wealth, the land under this entail remained the property of the dead man, and his descendants in the established line were tenants for life, no other people on the face of the earth having any rights whatever in its use.

Entail arose out of the military relations between superior and subordinate in the feudal system. The succession to the possession of a feud became a very important matter for determination under that system, and temporary appointments by the superior soon became changed

by collusion between superior and inferior into the principle that the direct line of eldest males should succeed to the powers. By grants from the superior power, theoretically representing the community, the right of succession devolved on an established line of heirs. Originally this was intended to confer merely the position of leader, but by the transition from communal to private rights, the privilege of succession thus engrafted upon the community became the absolute control of wealth. Applying to wealth a custom that had been applied originally to mere military organization, the possessors of landed estates who emerged from the feudal system proceeded to send them down to succeeding generations bound under one of the most absurd methods that human ingenuity ever contrived. The result of entails is described in the following extract from Lord Bacon, which appears also in Blackstone's "Commentaries :"

"Children grew disobedient when they knew they could not be set aside ; farmers were ousted of their leases made by tenants in tail, for, if such leases had been valid, then under color of long leases the issue might have been virtually disinherited ; creditors were defrauded of their debts, for, if a tenant in tail could have charged his estate with their payment, he might also have defeated his issue by mortgaging it for as much as it is worth : innumerable latent entails were produced to deprive purchasers of the lands they had fairly bought ; of suits in consequence of which our ancient books are full ; and treasons were encouraged, as estates tail were not liable to forfeiture longer than for the tenant's life. So that they were justly branded as the source of new contentions, and mischiefs unknown to common law ; and almost universally considered as the common grievance of the realm. But as the nobility were always fond of this statute, because it preserved their family estates from forfeiture, there was little hope of procuring a repeal by the legislature, and, therefore, by the contrivance of an active and politic prince a method was devised to evade it."

Entail by will of the decedent, as it existed for many years succeeding the feudal system, was the transfer of a right, originally supposed to belong to the community, to an individual, by which he was enabled to dictate from another world the disposition of the estate he once occupied on earth. The injustice of thus restraining the natural rights of the living by the arbitrary decrees of the dead, led to so much trouble and produced so much palpable unfairness to all affected by the condition of the entailed estate, that the severity of the principle is now modified to such an extent, even in conservative England, that a decedent cannot generally tie an estate with such restrictions for a longer period than the lives of persons in existence at his death and for twenty-one years thereafter, which is surely still too great a power if we concede that a man ought to be willing to loosen his hold on this world and let other people regulate its affairs when he can no longer live in it. Entail once existed in nearly all parts of Europe, but its last traces survive in English laws.

France abolished entail by the Code Napoleon, substituting a species of entail by the state, which distributes nearly all landed estates equally among the children, regardless of wills, and has thus subdivided the lands of that nation into absurdly small tracts. Spain rid herself of the incubus by an act of the Cortez. Entail was acknowledged in the early settlement of the United States, but gave way under the attacks of men like Jefferson, along with much other tyranny, before the advancing thought of our early national existence. Primogeniture, as a fossilized specimen of antiquity, still clings to the English laws in a provision for the succession of the eldest son to land when the decedent fails to make a will. There is no longer any reason for its existence except the absurd conservatism of the English people. In the United States

primogeniture has been abolished in all parts of the country. The English system of inheritance, which now applies only to cases of intestacy, is merely a survival of the ancient family idea of succession to leadership among savages, giving preference to males and preference to age among direct descendants.

At one time, under its rules, the ancestor never could inherit by any possibility from his descendant, but the law has been changed so that now parents are not excluded by collaterals. Side by side with this relic of ancient succession to power, exists a survival of the real ancient succession to wealth in the custom of gavelkind, by which, in a limited district, the old tribal custom, unaffected by military organization, has descended to the present in the form of an absolutely equal division of wealth among sons. The most prominent features of the feudal system of succession comprised in primogeniture and entail have disappeared from Europe only in recent years, Scotland abandoning them since 1847, when half the land of that country was entailed, Portugal abolishing an inalienable right of primogeniture for three generations in 1863, and Sweden and Denmark rescinding such laws in 1869. Some traces of the custom still cling to Germany, but they are disappearing.

It will be seen from this review of successions, that in all parts of the world, so far as the record is ascertainable, the development has been nearly the same. Social organization from the chaos of a brutally savage existence first appeared in the form of a family group in which the sexual relations were not restricted by modern ideas of marriage, conjugal fidelity, and consanguinity. In that condition every human being has, theoretically, one mother and many fathers. Every woman has many husbands, and every man many wives. All the tribal people of approximately the same age are brothers and sisters, and,

relationship with the father being indeterminate, descent is in the female line.

The organization of the gens or family tribe is afterwards effected with the requirement of external marriage, and as all females thus leave the tribe in which they are born, descent is traced exclusively through males, although under such relations of the sexes paternity is necessarily a fiction. In all these early transitions, but little wealth existed, except in the possession of land and the use of its natural products. The succession to personal effects was equally in the family, and the possession of land was always equally in the little tribe of connected families. Families and clans multiplied and were aggregated into confederacies, which formed the basis of the nations that have since developed from them.

Wealth in early society was extremely limited and invariably communal. No such thing as a private and exclusive right of possession and transfer at death existed. Wills were first used to provide an artificial succession to the office of leader when the natural succession failed, and were executed before the death of the testator, whose act was essentially the abdication of his throne.¹ The production of wealth due to the industrial arts and the cessation of war transformed society by lessening the importance of the mere leader and exaggerating the powers of the owner. Under the development of wealth and private ownership, leaders were gradually transformed into owners, and the

¹ Wills were at first oral, as were also gifts of lands, and were only morally binding on the survivors. Origen and other fathers of the early Church credited Noah with having made a will, and in the fourth century the Bishop of Brescia declared all those heretical who denied Noah's division of the world to his three sons by will. The oldest known wills are those of Egypt. Both oral and written wills not infrequently contained imprecations on those who should neglect them.

The earliest written will in existence is that of Sennacherib, which was found in the royal library of Koyunjik.—*Westminster Review*.

will, from a method of succeeding to a position implying powers and duties without ownership, became transformed into its modern form of a gift conveying wealth and executed after the death of the testator. Private ownership has in modern civilization superseded the ancient communism of the clan, and the old doctrine of an absolutely equal succession of male heirs, holding the women as dependents, has given way to the modern idea of permitting the testator to distribute his wealth at his own pleasure when he dies, although the privilege is restricted to some extent in nearly every part of the world, notably under the Mohammedan law and the Code Napoleon, which affects the laws of the State of Louisiana in this country.

The existence of primogeniture applied to wealth was a variation from the regular development in successions, and arose first out of the military organization of the clans for conquest, which exaggerated the power of leaders, and afterwards out of the development of wealth and private ownership, which left those leaders, when the feudal system decayed, in absolute possession of the lands which they had originally merely governed as the representatives of their people, and which they transmitted as wealth in succeeding years under the ancient theory of leader-succession. The condition of Mexico and the South American countries, in which there exists a preponderating element of the native Indian races, furnishes in the present a tolerably correct picture of the feudal system after military service gave way to the payments of fees. It is true that in material improvements these societies are vastly in advance of the feudatories of Europe. The people have Winchester rifles and Gatling guns instead of swords and armor, but except in these mere accessories their social life and government are of the middle ages. The latter is a military despotism, democratic only in form, and characterized by all the violence, the

tyranny, the cruelty, the instability, the dishonesty, and the constant warfare that were striking features of European life in its barbaric period. In spite of governmental forms, the government officials of these countries are generals and the common people are serfs, a condition which merely illustrates the truth that it requires a good people to make a good government, and that men must be civilized before their institutions.

The history of successions since the development of private ownership, has been a constant struggle between the supposed rights of the children or other heirs to succeed absolutely to the wealth of the ancestor, and the asserted right of the owner to control the same wealth up to the last moment of his existence and to distribute it among successors named by himself to take possession after his death. On the one hand, the right of inheritance is urged ; on the other, the right of making bequests. At the present time, the dead man is king,¹ but there are many social signs that a more rational and equitable system of succession than any that has prevailed since the existence of private ownership will now develop. The exact line of future progress cannot easily be indicated, but it seems probable that in many countries the development of future successions will be through a constantly increasing taxation of inheritances and bequests, till eventually the principle of control by the whole people and not by either the decedent or his descendants will be recognized in some form similar to the plans advocated in these pages.¹ One thing is certain :

¹ The French Chamber of Deputies, after four weeks' debate, recently adopted an inheritance tax bill. In some cases it takes 20 per cent of an inheritance. This is only in cases where the inheritance is a gift. Lineal descendants get their estates by paying from $1\frac{1}{4}$ to 4 per cent of the amount inherited. The lowest rate is on estates of \$2,000 or less. When a husband inherits from his wife, or a wife from her husband, the tax is 9 per cent on fortunes of more than \$400,000, with reduced rates for small estates. If a brother inherits from a sister, or a

neither the principle of successions nor any other human institution has reached its final development. There will be further changes to make our laws conform more perfectly with the altered condition of society, and we have only to determine what those changes shall be. The things we consider right to-day, we denounce as wrongs to-morrow, and all laws and other social institutions must conform to our progressive morality. Those who would hopefully regard the future can do no better than to consider the words of a recent writer³ whose patient scientific investigation of early laws and customs sheds much light upon the real nature and progress of society :

“ Since the advent of civilization the outgrowth of property has been so immense, its forms so diversified, its uses so expanding, and its management so intelligent in the interests of its owners, that it has become on the part of the people an unmanageable power. The human mind stands bewildered in the presence of its own creation. The time will come, nevertheless, when human intelligence will rise to the mastery over property, and define the relations of the state to the property it protects as well as the obligations and the limits of the rights of owners. The interests of society are paramount to individual interests, and the two must be brought into just and harmonious relations. A mere property career is not the final destiny of mankind, if progress is to be the law of the future as it has been of the past. The time which has passed away since civilization began is but a fragment of the past duration of man's existence, and but a fragment of the ages yet to come. The dissolution of society bids fair to become the termination of a career of which property is the end and aim ; because such a

sister from a brother, the state claims 14 per cent. An uncle or a nephew has to pay 16 per cent. Very distant relatives, strangers, ecclesiastical or charitable institutions are required to part with 20 per cent.

2“ The power of free testamentary disposition implies the latitude ever given in the history of the world to the volition or caprice of the individual.”—HENRY SUMNER MAINE.

3 *Luther H. Morgan.*

career contains the elements of self-destruction. Democracy in government, brotherhood in society, equality in rights and privileges, and universal education, foreshadow the next higher plane of society to which experience, intelligence, and knowledge are steadily tending."

CHAPTER XIII.

KING MAMMON'S NIGHTMARE.

Socialism, communism, and anarchism are rise throughout Europe. It may be that a universal and inevitable change of the social frame is at hand. But that only enhances the gravity of the crisis in England, and makes it more necessary, if possible, to have wisdom, not the reckless malignity of factions or revolutionary fanaticism at the helm.

—GOLDWIN SMITH.

The struggle between Socialism and our Government reminds me of the fable of the Goblin and the Peasant. A Peasant had in his hut a Goblin who did him no harm, and did him even much good; but he hated him and wanted to drive him out or destroy him. He chased him, he hit at him, but instead of breaking the Goblin's skull, he broke his own furniture. At last, in his blind fury, the Peasant set fire to his house, in the hope to burn and so surely to kill his enemy. The hut became a heap of ashes, and when he left it in his cart, chuckling at the thought of having at last got rid of his enemy, he discovered the Goblin sitting behind him and laughing in his sleeves, quite happy and quite comfortable.—W. LIEBKNECHT, leader of the German Socialists.

THE restriction of bequests and inheritance advocated in these pages will be denounced by conservatives under the contemptuous epithet of "socialistic notions," especially by those who have not made a careful study of social phenomena. On the other hand, the extreme radicals who are satisfied with nothing less than the complete destruction of competition and private ownership will also sneer at the same propositions, because they will not accomplish the changes socialists hope for. Whether an attack on wealth heredity is socialistic or not depends upon the real nature of socialism; and be-

fore a decision is rendered on that point, it is well to investigate briefly a movement among the people to which the attention of observant thinkers in all parts of the civilized world has recently been directed. We shall obtain our definition of socialism at the end of our inquiry instead of at the beginning.

A general conception of socialistic ideals may be gained from a study of the air-castles constructed by able writers of the past and present, whose broad conceptions of human life and duty enabled them to evolve from their own minds what seemed to them a happier condition for humanity than the unequal and relentless struggle of competition, with its extremes of wealth and poverty, its destitution surrounding abundance, and its frequent waste of human effort and life sustenance in the presence of starvation. Socialistic pictures of the kind described by Edward Bellamy in *Looking Backward* are older than Christianity, and have been traced by some writers as far back into ancient history as the existence of Phileas of Chalcedon, six centuries before the Christian era. Plato's *Republic* is the earliest socialistic writing that is easily accessible. These features of the work were probably written to show the philosopher's idea of a perfect government, and they describe a communal life in which neither rich nor poor exist, and where there is a perfect equality of careers. In some respects the mind of Plato was far in advance of his time in the conception of social institutions, but in others he was bound by the convictions common to that period. In his ideal community he provided munificently for public education and gave to woman absolute freedom to enter all kinds of occupations, a liberty which she has not yet acquired; but, on the other hand, he established a communal marriage relation of the sexes, toward which society is making no approach, and which has really been left far behind us

among other characteristics of an almost purely animal existence. In Plato's day women were property, and as all property was to be communal under his system, it would have been illogical, under that idea, to permit any monopoly in the use and enjoyment of the female sex. The children of his ideal republic were under charge of the state, there was no family organization, and the increase of population was controlled by restricting births.

Sir Thomas More, Lord Chancellor of England in the reign of Henry VIII., about four hundred years ago, announced the discovery of his "island of Utopia, which conteyneth in breadthe in the middel parte of it (for there it is brodest), CC miles." Since then "utopian" has become a word in frequent use to condemn a proposition as chimerical ; but there were many things in the wonderful imaginary island created by Sir Thomas, that, although not then in existence, have since become verities by the progress which his prophetic mind foresaw. Like the earlier philosopher's republic, Utopia had an ideal government in which that bugbear of the early socialists, "the rich and the poor," was completely destroyed, and under which the people lived comfortable, contented, and happy in the equal possession of wealth and the equal division of labor.

The *Utopia* was written in Latin, but was translated into English of the style quoted here shortly after its original publication. Sir Thomas More was a man of great breadth of intellect and generous emotions, so he could not help being dissatisfied with the barbarous age in which he lived. His picture of Utopia is the enunciation of that dissatisfaction expressed as plainly as the author dared to write in that period of intolerance and brutality. In describing Utopia, More satirized England. It was a happy island, where all were comfortable without being either rich or poor. All shared wealth alike, and there was

no inducement for sordid crime and no severe laws. The idler was controlled by a provision that "no meat be given him until he have wrought out his forenoon's task." The social conditions were well regulated, for "there be neither wine taverns, nor ale vaults, nor any occasion of vice or wickedness. A commonwealth is nothing else but a great household."

The contempt for wealth was so great that "whomsoever for any offence be infamed, by their ears hang rings of gold, upon their fingers they wear rings of gold, and around their necks they wear chains of gold," all these being signs of infamy. Gems and precious stones in Utopia were mere toys for children to play with, "so when a little more grown in years and discretion, perceiving that none but children do wear such toys and trifles, they lay them away of their own shamesfacedness, even as our children, when they wax big, do cast away puppets. Children that had cast away their pearls and precious stones, when they saw the like sticking upon ambassador's caps, dig and push their mothers under the sides saying, 'Look, how great a lubber doth yet wear pearls and precious stones.'"

Slavery existed in Utopia as a punishment for crime, and as a condition in which those who came to the island from other countries were placed during voluntary residence. Those who were sick of incurable diseases were encouraged to commit suicide, or to be killed by their own consent, although they "caused none to die against his will." In social and industrial economy, particularly in suggesting the subdivision of labor as now actually applied in all great manufacturing establishments, the mind of Sir Thomas More was centuries in advance of the era in which he lived. In a barbarous age, under the half-savage government of a monarch who eventually beheaded More because his conscience would not permit

him to sanction all the king's ambitious and lascivious desires, this philosopher of a period when Indian tribes were the only inhabitants of America, was able to see far enough into the moral future of the race to understand that it is better to prevent crime by education and early training than to punish it after the evil condition exists, a sentiment that is only understood by a portion of the civilized human race at the present time. At a time when nations were ready to go to war under any pretext, however unjust, he was able to announce for the Utopia of the future, which everybody can now see, a social condition wherein war is never entered on except for some gross injury, and the glory of a general is in proportion, not to the number but the fewness of the enemies whom he slays in gaining a victory. Best of all, he could see in the future, pictured in the mind of every good and great man, the time, not yet reached by humanity even in this country as a perfect conception, when no man ought to be punished for his religion, for "a man cannot make himself believe anything he pleases." It is said that Sir Thomas preached better than he practiced in the matter of religious toleration, for he was an ardent Roman Catholic to whom the newly-born Protestant faith was not reverence to the God whom he felt it his duty to protect; but, whether consistent or inconsistent, his mind was like a great electric search-light shining among a group of tallow-dips. Its rays have reached four hundred years in advance of the power which sent them forth, and how much farther into the future they were projected, we know not; for the progress of the human race is not yet completed.

More than a century later, Sir Francis Bacon, another of the really great men whose thoughts have been directed to the problem of a better adjustment of earthly conditions, wrote his *New Atlantis*. Thomas Campanella, a

Dominican friar, gave to the world a description of his *City of the Sun*, in the same period. Other imaginary societies were described by authors not so well known in history, whose creations are of little interest now except to the curious inquirer incited by a special interest in those subjects. The word communism has usually been applied to all these early plans of organizing social effort, and while their methods vary to some extent, a general idea of the theories underlying them can be gained from the principles announced in Morelle's *Basiliade*, published in 1753. The author was strongly impressed with the idea of a "perfect state of nature," so commonly entertained in that period under the theory that civilization was a degenerated social condition, and his book was the imaginary history of a people who divested themselves of civilized conditions to return to natural perfection. Private ownership he regarded as the mother of all crimes. His social formulas were as follows :

1. Nothing in society shall belong to any one in particular, nor be the private property of any person, except such things as shall be required for actual use, either in supplying personal wants, or in creating immediate pleasure, or what may be wanted for daily labor.
2. Every citizen shall be regarded as a public person supported and maintained at the public expense.
3. Every citizen shall contribute his share towards what is necessary for the public good, according to his strength, talent, and age. For this purpose his duties shall be regulated in conformity with the laws of distribution.

Up to the troubled times of the French Revolution, the communistic ideas were embodied in the form of imaginary societies, it being dangerous for an author to openly attack existing institutions, and the frank advocacy of such ideas could result in nothing but ridicule and disgrace even if their advocate escaped the dungeon. The

communistic idea, however crude and undesirable it may seem in any plan that has ever been ideally presented, or attempted in actual experiment, has, nevertheless, attracted the favorable consideration of some of the greatest men who have ever lived. The records attached to the names of Plato, Sir Thomas More, and Lord Bacon are not those which will be affixed to the evanescent memories of most human beings, and the real thinker, knowing this truth, regards the socialistic idea reverently, in view of the evils of our present existence, even if he does not regard it hopefully as a means of speedy relief, or assent to the conclusions of its ardent advocates. Ebenezer Elliott described the communist in the following lines, which reflect the opinion still widely entertained of the character of men who have advanced such theories :

What is a Communist ? One who has yearnings
For equal division of unequal earnings.
Idler or bungler, or both, he is willing
To fork out his penny and pocket your shilling.

History, however, disproves the assertions of the Corn Law Rhymer, for the men who have most ably and persistently advocated principles involving more or less of the communistic idea, have been, indisputably, sincere philanthropists, interested in the general welfare and progress of humanity, rather than in any selfish personal interests, and not actuated by any desire to reduce humanity to a common level that they as individuals might profit. The motives of all who have urged socialism or communism with any intelligence or ability have invariably been pity for human suffering and hatred of the tyranny arising from great inequality in wealth. Robert Owen could have been a millionaire had he desired a large fortune, for he possessed great business talents ; but he preferred to expend \$300,000 in trying to improve the condition of his fellow-creatures. St. Simon threw away a

fortune and reduced himself to poverty in the same vain efforts. Horace Greeley was deeply imbued with socialistic ideas, yet the people of the United States will not regard him as one who desired to thrive by the losses of his fellow-creatures, for his whole life disproves such calumnies. The real mental and moral condition of the great socialists has been one of too little instead of too great selfishness. Endowed with a more selfish nature, they would have exhibited more cynicism and distrust of human nature, and having those not altogether undesirable habits of regarding other men, they would not have displayed that sublime faith in the rectitude and capabilities of average humanity which has so frequently led them into their mad attempts to effect an immediate partnership among all their fellow-creatures.

About one hundred years ago, when the phenomenally iniquitous condition of class rule and tyranny in France resulted in the fearful scourge which temporarily obliterated distinctions of rank, a swarm of communistic writers appeared in that country. Their teachings were a modified form of the older communistic ideas, not usually so harsh or rigid in the equality demanded, and to these and later teachings the word socialism is now applied, the term not being used in this sense till 1835. Previous to that time communism was the expression used to designate the social plans here described. At the present time, the word communism appears to be going out of use to describe such social theories, and is giving way to the more recent term.

The writings of Rousseau—Jean Jacques, as Carlyle in crabbed mood designated him—were one means of developing and concentrating the rebellious spirit of the French people upon their wrongs in the era preceding their terrible revolt. Rousseau described conditions then existing and compared them with what he supposed had

been the progress of civilization, instead of describing an ideal community as his predecessors had done. His history of civilization was, however, largely ideal, for he was one of the innumerable millions who have believed that somewhere in the dim vistas of the past, if men could only see clearly, there *could* be found an existence happier by far than the miserable present. At the beginning of the Institutes of Nârada, the Hindu Justinian, writing in the fifth century of the Christian era, occur the following observations :

“When mortals were bent on doing their duty alone and habitually veracious, there existed neither lawsuits, nor hatred, nor selfishness. The practice of duty having died out among mankind, lawsuits have been introduced, and the king has been appointed to decide lawsuits, because he has authority to punish.”

This philosophy of Nârada expresses the same hoary fallacy that afflicted Rousseau's views of life and that haunts the minds of half the people in existence to-day. Like the brilliant French writer, they think the world grows worse instead of better, and thus worship the imaginary virtues of the past instead of hopefully regarding the developments of the future. One hundred years ago Rousseau expressed in powerful language the spirit of his age and gave utterance to the awakening thoughts of millions in whose changing minds the real rebellion against class rule was being effected. It was the period that gave to this country the Declaration of Independence and the burning words of Jefferson and Thomas Paine, with their uncompromising hatred of artificial inequality, oppression, and class favoritism. A remarkable parallel exists between the social and political agitation of a century ago in Europe and America, and the very similar discontent that now exists among the people of these

nations. When Rousseau's books were published, the real revolution had already been effected in France, for he merely expressed better than other men what the changed minds of the people already thought. Similarly, the real revolution of this period is already far toward its completion, for the minds of the people in their conception of human duty are greatly changed, and are still changing every day. If the revolution in sentiment is resisted by bitter and selfish obstructionists, instead of being guided and wisely directed by sincere patriots, it may result in armed contests like the revolutions of one hundred years ago ; but if a fair and free expression be given to the sentiment of the people and the truth recognized that a change of social institutions, sooner or later, is inevitable, the revolution of the twentieth century will be a peaceful modification of political and social conditions and advantageous to all our people.

Rousseau was the apostle of liberty and equality. With innumerable contemporaries in Europe and America, he assisted to break down the ancient idea of heredity in government, according to which some men were born to rule, irrespective of any natural qualifications for ruling, and other men were born to serve them in the capacity of slavish subjects.

He was not formally a socialist, for he did not attempt plans for the equal distribution of wealth and labor, but he assisted in destroying the idea of a divinity in political and social privileges on account of birth. He voiced the demand that the people should make their own laws and levy taxes upon themselves, instead of being under the dominion of an aristocratic class who paid nothing toward the expense of social organization, but lived like leeches upon the body politic. The fundamental idea of socialism is equality, and the men who preached the doctrines of Rousseau did more to further its real

progress than did those who advocated equality of property while class rule and tyranny existed. Rousseau believed that the inequality of wealth should be constantly checked by laws giving better opportunities for accumulation to the poor ; he advocated public education ; he held the rights of property sacred ; he opposed the abolition of inheritance ; and he believed in taxation that would throw the heaviest burden upon the rich, with some scheme of land reform that would prevent its monopolization.

The writings of St. Simon, published after the great revolution, were an advance from the crude communistic thought of the earlier period. He was a bold, original thinker and a philanthropist who sacrificed his position in the French nobility to his fidelity to the principles he advocated. With the characteristic traits of the typical Frenchman, he believed that a revolution in the social world would occur the instant that men read his plans for a better adjustment. His moral creed was that all should labor for the development, material and moral, of the class most numerous and poor—a very good doctrine, but one seldom observed, even by those making a specialty of moral teachings. St. Simon commenced the teaching of modern socialism by declaring that the lower classes had been first in a condition of abject slavery ; then under serfdom ; finally, under the modern wage system, in a condition that is only mitigated serfdom. He attacked the principle of heredity in wealth, and urged the entire abolition of hereditary successions, and their reversion to the state. The doctrine of property rights demanded by the St. Simonians was embodied in the saying : “From each according to his capacity ; to each capacity according to its work.” Capital they regarded as a fund accumulated by the joint efforts of the community and not as the property of the capitalist. They

advocated the ownership of land and capital by the state, and thus developed the foundations of the modern socialism that has been urged so strongly in Germany ; but the most distinctive feature of their creed was their denunciation of inheritance.

Charles Fourier's socialistic plans, produced contemporaneously with the St. Simonian doctrines, attracted great attention in France early in the present century. His scheme was a purely artificial transformation of society by its organization into groups of from 600 to 2,000 people occupying a square league of land, in the centre of which was to be erected a magnificent communal dwelling, similar to a great hotel, surrounded by other buildings for use in such industrial arts as the inhabitants of the tract might conduct. Fourier's characteristics were the prominence which he gave to the economical features of communal effort in manufacturing and in domestic life, and he showed what a vast saving is accomplished when aggregated effort replaces individual labor. Reasoning from observation of the intense activity displayed by men in hunting and other sports, he endeavored to provide plans for making work pleasant in communal life. He would arbitrarily divide society into three classes, capitalists, laborers, and men of talent—giving to each class a definite portion of the social wealth. It is evident that all such ideas involving sudden social transitions are necessarily barren of any immediate practical results ; nevertheless, many of the economical results foreseen by the penetrating mind of Fourier have already been accomplished under competition by the aggregation of capital and the subdivision of labor.

Later in the century, about the year 1848, Louis Blanc denounced the crude, radical ideas of the early communists and also the doctrines of the St. Simonians, proposing instead of them his own schemes of social

organization. Blanc's idea was to provide co-operative industrial associations to carry on various manufactures in competition with private capital. As he occupied a prominent position in the provisional government of France, he was allowed to test his plans in actual operation. The government subsidized fifty-six industrial associations under his plan, but they all failed. While moderate in some of his demands, Louis Blanc was, in his socialistic division of wealth, the most radical of reformers, for his formula is : "From all in proportion to ability ; to all in proportion to needs." Justice, under these doctrines, does not give to each according to effort or ability, and the strong must in some cases do more labor than the weak for a less reward.

In England, Robert Owen, whose name is well known to the people of this country, was a contemporary of Fourier. Owen was a shrewd, practical business man of great executive talent, whose phenomenal capacity for organization distinguished him from other socialists. Owning cotton mills at New Lanark, Owen, having the temperament of a philanthropist, became impressed with the miserable existence of his employés, which was then the universal condition of the laborers of Europe. He gave them better dwellings at cost ; he provided stores where they might obtain goods at the lowest prices ; and he afforded opportunities for them to lay by savings and invest them. He reduced the day's labor to ten hours, and at one time, when business was depressed, he maintained his laborers, though unemployed, at an expense of £7,000. Owen believed that vice and crime are diseases resulting from the impoverished and brutalizing surroundings in which men are placed, and he constantly appealed to their better nature, making efforts to raise them by improving their environment. One of his theories was that "every county should provide a farm for the employ-

ment of the poor, and, if circumstances permit, a manufactory connected with it, to enable the poor to support themselves." "Competition," he said, "is the cause of many vices; association will be their corrective. That the heart is corroded with selfish ambition, that the energies are stimulated by unworthy vanity, is due entirely to the present organization of society." He advocated socialism, and owing to his successful plans for factory improvement, he received much respectful attention. At one time Parliament almost decided to seriously investigate his methods, and noted people from all over Europe visited his factory. His ideas were strongly in conflict with the intense conservatism of England, and he came to America seeking a more favorable field for his social operations, and founded a colony at New Harmony, Indiana. It failed, as all institutions do that are far in advance of average human development, and Owen said of its result: "The last experiment has made it evident that families trained in the individual system, founded as it is on superstition, have not acquired those moral qualities of forbearance and charity for each other which are necessary to promote full confidence and harmony among all the members, and without which communities cannot exist." Returning to England after the failure at New Harmony, Owen continued his experiments at the expense of his fortune, and his last organization at "Harmony Hall" was broken up when he was eighty years old; but he advocated his doctrines to the close of his long life.

The theories of socialism received much sympathy and encouragement in the writings of Thomas Carlyle, John Ruskin, and John Stuart Mill, three of the greatest thinkers in the recent history of England. The Lake Poets—Wordsworth, Coleridge, and Southey—were also in their youth strongly imbued with the socialistic faith. In our own country, the history of Brook Farm shows

how the minds of able men who afterwards became famous were attracted by the delusive idea of building beautiful and stately social structures from the imperfect and unsubstantial materials of ordinary human nature.

The teachings of the writers whose names have been noted in these pages, with the swarm of lesser authors attending them, constitute the theoretical socialism of the past. It will be observed that all the plans suggested by these socialists were merely social and economic changes to be effected by voluntary association and co-operative effort based on free will and the consent of all who participated. The socialists of the past did not propose to change the forms of government by the will of the majority, and make men socialists whether they desired socialism or not ; but the socialists of the present are of a very different type, or rather they find public sentiment more tolerant of their ideas, and are thus enabled to extend them farther than their predecessors could push their plans. Theoretical socialism of the present is aggressive. It proposes to transform monarchies into democracies, and these into social-democracies based on the equal ownership of capital, or wealth used for reproduction in all its forms. The movement has commenced in all parts of the civilized world, but its ablest advocates and principal writings have emanated from Germany in the last thirty years. It is incorrect, however, to suppose that the new socialism spreads and extends outward from any point like waves on the surface of water. The socialistic thought arises in the minds of the people all over the world at about the same time, owing to the condition of their civilization, and it is a product of the brain-power of each individual. Right or wrong in its theories and methods, it develops spontaneously among the people of every nation, and those short-sighted opponents who propose to prevent the immigration of social-

ists by some kind of legal wire-netting around national boundaries, merely expose their ignorance of social development by making absurd suggestions. Modern socialism is already a prominent form of public thought in every country of Europe, and in the English colonies of Australia and New Zealand. Until a very few years ago, the United States was supposed to be free from this movement, but the People's Party, now quite a strong political movement, especially in the western part of the country, is clearly socialistic in the doctrines it sustains, and is nearly in line with the European movement, although not consciously so.

So extensive is the literature of this new movement, that mere histories of its development now require twice the space of this volume. Yet the actual principles involved are few, and they do not require lengthy consideration to be understood in a general way. Some of the socialistic works, the *Capital* of Karl Marx in particular, which is called the Bible of Modern Socialism, display profound historical research and much learning, but they are so insufferably tedious that much of their usefulness as a means of propagating the socialistic idea must be lost in the verbosity. While there is some variation in the theories and methods of the different schools of modern socialism, the essential nature of the movement, wherever found, is that of a vigorous attempt to destroy capitalistic competition of all kinds, and to substitute for it the public ownership and operation of all means of production, transportation, and distribution by political action and the agency of the law. It will at once be seen that the new socialism is vastly different in its methods from the old doctrine. The former depended exclusively upon voluntary association, and no man need be a practical socialist unless he desired to and joined a colony. The latter depends upon the number of votes

it can control, and whenever it can secure a working majority, it proposes that the minority shall become practical socialists, whether they like socialism or not. There is nothing wrong in this political method, more than what occurs in all political action, but the condition shows that while the old socialism was a mere toy with which men amused themselves, the new socialism is a weapon with which they propose to hew down opposition if they can.

To thoroughly understand the real causes of this vast undertaking of the socialists, much consideration and reflection are necessary. Under the existing productive system, developed mainly in the last century, and more particularly in the last fifty years, the manufactures of every civilized nation, instead of being effected in small establishments scattered over a wide area, under many different employers each having a few workmen, are now concentrated into huge establishments, each under the dominion of a capitalist or a company of capitalists, employing an army of laborers, subdividing the mechanical processes, owning a complex and expensive system of machinery, and reducing by these economical advantages the cost of production to such an extent that every small establishment within the field of competition is driven to the wall and crushed out of existence. Similarly, small merchants acting as distributors are crushed out of existence by greater ones, and great railroad systems absorb the smaller lines. In every branch of productive human effort, the tendency of the nineteenth century has been to consolidate the business into great plants having a few extremely wealthy owners, a vast accumulation of machinery, wherever it can be profitably used, and an army of laborers at wages under a system of subdivided effort. The small blacksmith and wagon-making shop has become the great factory sending vehi-

cles to all parts of the world ; the village shoemaker shops are gone, and in place of them are a few great shoe-factories selling their products wherever civilization exists ; the small butcher gives way to Philip Armour ; the little store is abandoned before the progress of the Marshall Fields ; the teamsters are absorbed in a few great railway systems, controlled by the Goulds and the Huntingtons. The small towns, owing to the impossibility of small manufactures, are killed out or kept from growing, and wealth and population concentrate in the great cities, where the valuable land, the buildings and the machinery in fabulous values drift into the possession of great capitalists, who manage this surplus wealth of the nation and conduct its enterprises.

On the other hand the workman's relative power and importance as a social unit compared with that of his employer has been steadily diminished by this process. Under the old system, the laborer, by economy and enterprise, could easily become an employer, and the one was so little removed from the other in station that a bond of sympathy existed constantly between them. Now the laborer is as far removed from the employer in any great modern establishment as the pauper is from the prince, and instead of sympathy, antagonism exists. As a result of this lessening of his individual power, the laborer has been impelled by the universal tendency to concentrate, and he has accordingly united with his fellows in great labor organizations. to be wielded as a single body like the great railroad system or manufacturing combination. Trusts are denounced on the one hand, and labor unions on the other ; but the opponents of both might as well denounce the water of the Mississippi for finding its way to the Gulf. Both trusts and unions are products of a natural process as unavoidable as the formation of salt crystals when sea-water is evaporated.

Modern socialists claim that this process of concentration is still going on, and that it will go on in spite of any legislative efforts to prevent further concentration. They believe that ultimately the concentration of capital will become so extreme and the laborers so bitterly discontented under the difficulties attending periods of depression, when large numbers of men are thrown out of employment, with no other means of earning a subsistence than their narrow line of factory duties, and with no demand for their limited special skill, that in the final result the whole capitalistic system of competition will be overthrown. The supposed transition is to occur either gradually or suddenly, according to the maturity of the socialist's mind (the older he is the slower the process), and the wealth of the country is then to be converted into a common fund for productive effort under the equal ownership of the people, the laborers being transformed into salaried employés of the socialistic government. Some theorists include in this socialistic effort the cultivation of the land, and others do not, but the socialism ordinarily proposed includes the public control of every means of production, transportation, and distribution.

Under such a system, private ownership could not exist except in the possession of personal property of small value for immediate use. Land, buildings, railroads, manufacturing establishments, stores of all kinds, and the whole system of exchange would become public property and be controlled by agents of the people. Rent, interest, and profit, the three terrible Gorgons of the socialist's mind, would no longer exist. Except for foreign exchange, coin would be of no use in such a community, and there would be neither a gold nor a silver party, labor checks being substituted for the metals. There would be no private business in renting property, buying and selling, lending money, manufacturing or

transporting, and the entire able-bodied population would be placed under the necessity of doing some kind of mental or physical labor as productive work for an approximately equal share in the results of aggregated effort.

Absurdly visionary as these vast plans appear to the man who considers them for the first time, they are seriously considered and advocated in one form or another by a large percentage of the people in every country of Europe, and similar doctrines are developing quite rapidly in America. In Germany, the modern socialistic movement is based upon the writings of Ferdinand Lassalle and Karl Marx, both bitterly opposing capitalism and both of the Jewish race, which has hitherto always been characterized by a special fondness for the very things these apostles of socialism denounced. Thirty years ago, when the socialistic writings of Lassalle were placed in the hands of the workingmen of Germany, the older socialism of the French and English writers, the idealism of Fourier, Blanc, St. Simon, and Robert Owen, was apparently dead and the people were torpid. At first the teachings of this writer appeared to have no effect, but when the capitalistic system developed and the phlegmatic Germans had plenty of time to consider his theories, the movement gathered headway after the death of Lassalle in the duel which closed his career. The theories of Lassalle and Marx have been termed Scientific Socialism, because, instead of merely constructing an ideal communistic society based on their own conceptions, these modern writers first review the history of the past, and then consider the present condition of our industrial institutions with the object of determining what the next development in that progress will be. These later theories might well be termed Evolutionary Socialism, for, like other branches of modern thought, the theoretical social-

ism of the present applies the idea of gradual development to society and its modes of industry. Concerning the developments of the future, the scientific socialists may be right or they may be wrong, for men at best are very unreliable prophets, but Marx and Lassalle have recorded the industrial history of the past with infinite labor and much knowledge of the laws of social development. At the time they wrote, their ideas were based upon a much wider and deeper information of economical progress than their adversaries possessed.

Lassalle charges that the present capitalistic system of production is unjust to the laborer, who works for a mere subsistence in periods of average prosperity, and at every unfavorable fluctuation in the industrial world, is thrown into want and compelled to endure hardships by lack of employment. His view of wages and the wage-system was so utterly hopeless that he believed the laborer was absolutely precluded from ever improving his condition and that all the wealth the laborer produced beyond a mere subsistence was immediately transferred to the capital of the employer, the tendency of wages being constantly to sink to a point merely sufficient to afford the laborer existence. He thus regarded every workman as a slave toiling to develop a huge fund of surplus wealth in the hands of the capitalist, that accumulation being made up of the small portions of which each laborer was robbed in the industrial process.

Karl Marx's thoughts followed similar lines, dealing mainly with the employment of labor by capital, in great manufacturing industries. He claims that justice demands for the laborer all that he produces, whereas, under the competitive system of the present, every laborer engaged in prosperous production pays over to his employer a surplus on every day's work, which thus increases the capital and robs the workman of that portion

of his earnings; for Marx insists that the laborer is entitled to all he produces, and should not be subjected to this capitalistic tax—rent, interest, or profit—which the socialist denounces as robbery. He does not term the capitalist who gains by one of these methods a robber, and he evinces no class animosity nor envy of wealth, but he regards capitalists and laborers as being alike helpless under the competitive system and unable to avoid its evil results. Marx's great treatise on capital is a cool, scientific discussion, as tedious and unfeeling as the ordinary rule of arithmetic for extracting the cube root. His book even contains mathematical formulæ, demonstrating to the satisfaction of his followers, that no other result can happen from the competitive system than the ultimate reduction of all wages to a mere sufficiency for existence, and the aggregation of all surplus wealth above that in the form of capital.

Thus it will be seen that modern socialism is not the philanthropic ideas of tender-hearted reformers like the older socialists, but it is a political movement pressed forward by men who firmly believe that they are subjected to unjust conditions. If the modern movement should be successful in securing majorities, it would attempt to transform governmental institutions in accordance with the socialistic idea, and compel the minority to conform to the new methods of human effort, no matter how bitterly they might detest them. As Dr. Schaffle says, modern socialism "is primarily a question of the stomach," and it is pushed with energy by no inconsiderable number of men who feel that their own interests are being damaged by existing social methods, and who ardently desire a change. The development of socialism is heralded by Herbert Spencer as "The Coming Slavery," and many other individualists regard the socialistic nation as a possibility equally despotic and mechanical in its

nature with the ancient Spartan military socialism under the laws of Lycurgus.

In Germany, the progress of socialism has been marked by a rapid advance since 1870. In a recent article, Herr Liebknecht, the leader of the party in the Reichstag, gives a hint of their present methods in the following words :

“Of course, when we have a village-meeting we do not give a lecture on Marx’s ‘Capital,’ but we speak about the villagers’ economic and social situation, about the debts of the small peasants, the wages of the agricultural laborers, the misery in which they both have to live, and the reason why. We show the working and action of capitalism, how capital destroys property,—the property of all those who have to live on their handiwork ; how property is in a state of constant warfare, how small properties are devoured by big properties,—the small farms by the big farms ; how of the five and one-half millions of *soi-disant* landed proprietors in Germany according to the later published statistics, half a million at the utmost have still real property of their own, and how the others are proprietors only in name, who will soon disappear, swept away by the crushing power of capitalism. And if we succeed in getting the ears of our hearers, we win them.”

Thirty years ago the socialists of Germany numbered only 7,000 men. In 1895 the party contained nearly 2,000,000 electors ; that is, men above twenty-five years of age. It is called the party of the discontented in Germany, and the socialists do not object to the name. They have secured the advocacy of nearly one-fourth of the voting population of the country for their claims, and they appear to be steadily progressing. The socialistic movement means the destruction of the monarchy with the absolutism of the days of Bismarck, and the establishment of a democracy ; after that there will be as much socialism in the new institutions as the people are prepared for, and no more.

France in recent years has had no commanding leader or writer in socialistic thought, and the socialists of that republic are divided into four parties, two of which may be better classed as anarchists. The great body of French socialists are termed Collectivists, and they believe that a social revolution is unavoidable ; but, like the German socialists, they wish to form, out of the fragments of the present system, another organization in which all wealth will be nationalized and all competition dead, where everyone will work according to his ability and receive according to his needs. The number of these socialists of France was between one and two millions in 1888, but they do not form a very compact body. The Collectivists are cool-headed reformers who accept whatever small advantages they can secure as fast as they can obtain them, and do not wait for the whole social fabric to be destroyed that a suitable preparation may be made for their own form of government. Another more radical but less numerous body of the French socialists, the Guesdists or Impossibilists, are obstructionists in their tactics, harassing the government perpetually with requests, petitions, and public denunciation by means of pamphlets, and they refuse to seek or accept minute or moderate changes.

In England there exists a strong socialistic movement which aims to abolish the hereditary powers of the peerage, and convert the monarchy into a democracy as a preliminary move to further progress. The English contributions to socialistic thought have recently become the most valuable essays published anywhere in the world. The Fabian Society is an association of talented and thoroughly educated men and women who devote a portion of their time and means to educating the public in the real nature of socialism, and the history and present tendencies of industrial life. The Fabians are in the front

rank of socialistic progress, for they clearly understand that all really beneficial and permanent social changes must be very slowly accomplished, and that the genuine socialism is not the accomplishment of a brief revolution announced by a vote of the people, but the slow changes accomplished in men and their institutions by the progress of centuries. The recent utterances of Professor Goldwin Smith, prefixed to this chapter, on the development of this new movement in Europe, and especially in conservative England, indicate the apprehension with which many thinking men regard the future.

It was supposed until within the last few years that the United States offered no field for the development of socialism, but the fallacy of a belief in the efficacy of mere governmental forms is once more exploded by the rapid rise of the People's Party, based on socialistic ideas, independent of any connection whatever with the European organizations, and with members generally quite ignorant of the ideals of the Old World. The more radical but smaller organization of the Socialist Labor Party is also busily circulating pamphlets and books containing the socialistic thought in various forms. The movement commenced in America later than in Europe, because there was less crowding among the people here, and less discontent on account of our greater opportunities ; but now that it has begun, the socialistic progress will probably go on more rapidly in America than in Europe, for there are fewer obstructions in the way, and the people are trained in older political parties to co-operate. In Europe the democracy must be accomplished before any further progress can be made ; in America the democracy is already here, and from that point the people can go on toward whatever improvements in their national life they may be capable of understanding and appreciating in their present development.

Having thus accomplished a brief survey of that theoretical socialism of the present, which exists only in the minds of its advocates, and which is proposed as a remedy for all the governmental ills of the future, it may be well to inquire what the *real* socialism of the future is likely to be, or whether any form of socialism can exist. To really gain a comprehension of the probable future, we must study the past and the present. The essential nature of socialism, as advocated in all the plans described here, embodies assistance to one another and coöperation as a substitute for the universal opposition of competitive effort. Competition has been the ruling force of human existence on earth, for in our earliest history of the race, there was competition, fierce and bitter, between families and tribes, and, in our later progress, competition between individuals. Yet there never was a time when *human* beings did not blend a degree of socialism with the fierce contests of brute existence, and thus soften the hardships of a purely animal life. There is no such thing as absolutely pure competition, except among the lower animals and the plants in their struggle for existence.

Observe a grove of young pines on the hillside. They are densely set, all apparently full of life-blood—green, thrifty, and each determined to push its head vigorously toward the blue sky and the sunlight. Go again to the grove, and we shall find some of the competitors weakening, slight tinges of yellow appearing in their leaves, slenderness and delicacy characterizing their bodies, and their thin, feathery heads scarcely on a level with their sturdier neighbors' dense plumes. Another year will leave the weaklings in the shadow of their stronger comrades, deprived of the sun's bright rays and warmth, chilled at the top and choked at the root, starved all along the drying body, and crushed out of existence by their more

thrifty rivals. Still another year will show the starvelings dead, decaying, and on their way to earth as food to further strengthen the "survival of the fittest." Such is competition absolutely unalleviated ; and in the animal world above the lowest orders it does not exist, even among brutes and brutal men, for there is always the socialism that is found between parent and offspring.

Existing under pure competition, men would say to their fellow-creatures, as it is conceivable that brute-like man once actually said in his habits and customs : "It is not my responsibility nor care whether you live or die. You may be my neighbor, or my friend, or even my relative, but you must provide for your own necessities and die when you can no longer do so. I shall seek only my own welfare and my own existence." Under such competition neither the human race nor the higher animals could exist, for there must be a degree of socialism even among brutes. In the human family under the pure competition of pine-tree existence, the race could not survive, for parents would neither protect helpless infancy, nor sons and daughters assist aged parents.

The rigid doctrines of competitive existence, if now applied to the higher animals or to man, would exterminate them. There is socialism—a real and genuine socialism—even among brutes, and its earliest development is in the parental instinct. Little fishes "sink or swim, live or die, survive or perish" without any protection or assistance from the parent ; but little birds and all other higher types of animal life are protected by the tenderness of the socialistic idea, displayed in the self-sacrificing devotion of one or both of the parents. With brain development and progress in the scale of animal existence this unselfish feeling grows and expands. From eating one another and slaughtering their own children, human beings have arrived at a condition wherein they some-

times feel like helping one another to live, and like saving and protecting other men's children as well as their own.

The care of the aged and infirm is one of the earliest developments of genuine socialism. Applied rigorously, the competitive creed would announce to the decrepit man or woman, even if a parent: "It is not my business whether you live or die, for life is a struggle in which the strongest survive. You will have to perish when you can no longer support yourself." The lowest races do not protect the helpless members of their tribes and families, and the solicitude now displayed by civilized human beings in the care of the infirm is not a primary condition, but a growth that has occupied centuries in its development, and which will almost certainly still continue long after the writer and the reader of this book have fallen into dust.

The truth is that modern civilization is already far on its way to the realization of the only socialism under which the human race will ever be permanently organized. The real socialism of all time—past, present, and future—is the growth of humanized feelings and the sense of duty and responsibility toward our fellow-creatures, regardless of any apparently selfish worldly gain to ourselves, and not the barren speculations of philanthropists, however good and wise, nor the complex systems of communistic government evolved in the minds of reformers as a prescribed method of securing justice and making men happy. It is the change that has been going on steadily in the minds and hearts of the people every century since man appeared on earth, under which the intensely brutal selfishness of his early existence gives way to higher and better feelings of human duty, and the original conception that life-effort should be all for self becomes slowly transformed into the belief that our real

work must eventually become each for all. Our hospitals and almshouses are purely socialistic institutions embodying the growth of this ethical idea. In all fairness, under the competitive creed, why should I be taxed to keep some pauper alive and comfortable? Let him die when he can no longer live by his own exertions, and let me retain my property. Such must be the logical conclusion of pure competition; but no civilized nation will now tolerate such ideas, so the sick and impoverished are maintained at public expense in charitable institutions, which are established by taxation on the exact basis of the extreme socialistic demand: "From each according to his ability; to each according to his needs." Millions of people are thus socialists in this genuine socialism without knowing the nature of their faith, and they indorse in one particular the very ideas which they deride in another.

In a recent political speech made in the State of California by a fairly intelligent and successful attorney, the speaker at the beginning of his address denounced the socialistic tendencies of the age. Near the close of his speech, however, he praised the public-school system of his state and advocated the provision at public expense of free text-books for all pupils, a plan that has been frequently suggested of recent years, the books now being printed by the state and supplied to the parent at cost. The public schools of California are supported mainly by a tax upon all the wealth of the entire state, and are absolutely free. Hence, although the speaker did not seem to understand the real nature of the question, the schools of California are socialism unadulterated, and he was absurdly proposing the socialistic provision of free text-books at the close of his speech, after having bitterly denounced "socialists and anarchists" at the beginning. All free public schools supported by general taxation are

socialistic institutions, and the supplying of free textbooks—a measure that is very likely to become a law in California in the near future—is a socialistic measure; for all people pay taxes in proportion to their wealth, supposed to represent their productive ability, and use the schools in proportion to their needs; the man with the largest family having the right to send all his children, even if he does not pay a cent of taxes. Similarly, our public roads, maintained by taxing wealth, and often used more by poor men than by rich men, are socialistic institutions. All state, city, and national property in buildings, parks, roads, canals, water-works, street-car lines, wharves, and bridges, constitutes the foundations of a future socialism to become much more extensive. The post-office department in the United States is partially socialistic. We use it according to our needs, but we pay according to our ability only to the extent of a deficit in its revenues. Were the post-office absolutely free, it would constitute radical socialism. This book was partially prepared in a socialistic library, containing about one hundred thousand volumes, which the people of the state purchased in proportion to their ability as taxpayers, and which the same people use in proportion to their desires.

Mutual life insurance and the astonishing development of the innumerable fraternal and protective organizations existing in all parts of the United States, constitute additional instances of similar social ideas tending toward universal co-operation and away from the original idea that every man is to live for himself alone. Imperfect as these organizations undoubtedly are, and marred by the selfish acts and motives that still afflict their members as well as all other human beings, they, nevertheless, mark a progress, and the ideal of a future socialistic state may well be that of a perfect mutual life insur-

ance association embodying all the people, or a truly fraternal society comprising an entire nation. Who can say, positively, that a people who have already within a few centuries evolved free schools, free libraries, free roads, and mutual life insurance, to say nothing of the various forms of municipal socialism, may not go farther and by degrees reach the ultimate condition of a grand socialistic state, in which all labor in proportion to their ability, and all receive in proportion to their misfortunes or sickness?

Yet it is well not to be deceived by the evidence of progress, for development in the future will be, as in the past, accomplished a very little at a time. The real socialism is now, and will ever be, a slow growth and not a sudden transformation. Those who hope or fear that the socialistic state will be brought suddenly into being will be disappointed, for whenever it becomes necessary for socialists to formulate new plans instead of merely objecting to old ones, they will find themselves unable to agree upon anything more than minute changes in existing conditions entirely acceptable to the majority. Human institutions, like the human beings out of which they arise, will be socialized one at a time. It is customary to look upon all the people of a city, a state, or a nation, as being about equally civilized; but the truth is that they constitute a motley group of savages, barbarians, and comparatively enlightened human beings, standing side by side, dressed in the same clothes, and scarcely distinguishable from one another in outward appearance, yet having minds and hearts as different from one another as the souls of Attila and Jesus Christ, or the minds of Thomas More and the king who beheaded him. One man has feelings and instincts and prejudices that belong to the dark ages of early race existence, so we denounce him as a brute and proceed to imprison or exter-

minate him. Another has emotions and aspirations that in their development are centuries in advance of those surrounding him, so he is supposed to be insane, or visionary, or impracticable, or a dangerous disturber of social order. The man who is either much behind or much before the average sentiment of his age on account of unfortunate heredity, is apt to have a sorry time of life. Misunderstood and reviled on all sides, comprehending neither his associates nor himself, he suffers without sympathy, and endures a lonely existence in spite of the multitudes associated with him, resembling in one condition a solitary mammoth among a herd of tame elephants, or in the other a Herbert Spencer searching for appreciation and sympathy among the great lizards of the reptilian age. Owing to this diversity in the progress of human nature, very few of us pass from one stage of advancement to another at the same time, and sudden transformations in the real nature of social institutions are, therefore, an impossibility, although their outward forms may be considerably modified in sudden changes. The socialistic agitation that is going on in the world is humanizing and educating. It is compelling people to think. It is harmless, and it will not, unless repressed by foolish authority, do more than to assist in accomplishing that desirable gradual progress from the brutal existence of our dark past to the brighter and better life before the human race.

Incidentally, along with this modification of the selfish feelings, have occurred at times practical co-operative efforts that need mention to complete the view of socialism. Our modern family, so far as husband, wife, and minor children are concerned, is an imperfect socialistic organization. The ancient family, and the family tribe that we have designated as the gens, were communal in their nature. One form of ancient socialism applied to

land may be found in the Bible, where the Hebrew year of Jubilee was established to provide for a redistribution of the lands among the people. No matter who the possessors of the land might be, under this Jewish socialism, at the end of fifty years it was to be again divided among the descendants of the original occupants grouped into families. The laws of Lycurgus established a peculiarly hard and despotic form of socialism in Sparta over eight hundred years before Christ, but it was essentially a military organization, and no more a genuine socialistic development than somewhat similar features in a modern army.

Since the extinction of the old communal existence in the tribe, with competition between tribes, and the substitution of competition between individuals by the development of wealth and private ownership, culminating in the abolishment of slavery or serfdom and the establishment of the wage-system, the attempts to practically conduct socialistic effort in the midst of competition have usually been failures. Robert Owen's unsuccessful experiments and those of Louis Blanc have already been noted. A number of small communistic societies have existed in the United States for years, but their records are of little political value, though intensely interesting to the social student. Charles Nordhoff, after a careful study of these associations in 1874, found that about five thousand actual communists then existed in the United States, comprising seventy-two communities established in thirteen states. They owned 150,000 acres of land, and were in the aggregate worth about \$12,000,000, held absolutely as community wealth, or approximately \$2,400 per communist. As a financial result, this statement is favorable to the communists, for the average wealth of each person in the United States at the date of the last census was only about \$1,000. Commenting on this

accumulation, their historian says : "It is not an exaggeration to say that this wealth has been created by the patient industry and strict economy and honesty of the owners, without a positive desire on their part to accumulate riches, and without painful toil."

Of these societies, the Icarians are of French origin, the Shakers and Perfectionists principally Americans, and the others Germans, the latter people seeming to be more naturally adapted to communistic life of that form than any others. In religion, the Icarians reject Christianity, their religion being merely the communistic idea ; at Bethel and Aurora the people regarded the essence of all religion as unselfishness ; and Mr. Nordhoff describes the other communists as possessing deep religious convictions, neither narrow nor intolerant. The Icarians forbid celibacy, and ordinary sexual relations are maintained in some of the colonies. The Shakers and Rappists are celibates, maintaining their numbers by adopting children and initiating new men. The Shakers regard celibacy as essential to communism, but the Perfectionists under John Henry Noyes, long maintained the institution of communal marriage, till a strong adverse sentiment among their competitive neighbors compelled them to discontinue the custom. All these communists were usually found to be apparently contented, comfortable, and happy, in the quiet, monotonous life they had chosen, but it seemed to their investigator that this contentment arose mainly out of the peculiar adaptation of each member to their life, and not so much in the real adaptation of that life to the restless people in the bustling world surrounding the colonies. The colonists were usually unable to retain children raised among them, the temptations of the outside world proving very attractive to the young folks, in spite of the dangers and possible misery to be found in it. These forms of socialism,

while they are interesting experiments, are not really important, for they do not and cannot progress, and they form no considerable part of that great onward march of humanity which tends continually to make men help instead of hinder one another and thus evolves slowly the only real socialism of heart, mind, and hand.

ANARCHISM.

The anarchists are numerically a small and comparatively unimportant part of modern social agitators ; but the startling crimes that have been committed by the destructive exponents of this strange creed, and the mysterious, and, to most minds, incomprehensible nature of their belief, gives to them an interest far beyond their real influence as social factors. Anarchism, as literature, has its origin in the writings of William Godwin, who published his work on "Political Justice" at London in 1798. This English anarchist expressed his opinion of existing institutions in the following language :

"Let us fairly consider for a moment what is the amount of injustice inflicted in the institution of aristocracy. I am born, suppose, a Polish prince with an income of £300,000 per annum. You are born a manorial serf or a Creolian negro, attached to the soil, and transferable by barter or otherwise to twenty successive lords. In vain shall be your most generous efforts and your unwearied industry to free yourself from the intolerable yoke. Doomed by the law of your birth to wait at the gates of the palace you must never enter ; to sleep under a ruined, weather-beaten roof, while your master sleeps under canopies of state ; to feed on putrefied offals, while the world is ransacked for delicacies for his table ; to labor without moderation or limit under a parching sun, while he basks in perpetual sloth ; and to be rewarded at last with contempt, reprimand, stripes, and mutilation."

The extract above quoted merely expresses the author's hatred of injustice, but in the following selection from his book the characteristic ideas of the anarchists are expressed.

“Mankind will never be, in an eminent degree, virtuous and happy till each man shall possess that portion of distinction, and no more, to which he is entitled by his personal merits. The dissolution of aristocracy is equally the interest of the oppressor and the oppressed. . . . This is not an equality introduced by force or maintained by the laws and regulations of a positive institution. It is not the result of accident, of the authority of a chief magistrate, or the over-earnest persuasion of a few enlightened thinkers ; but it is produced by the serious and deliberate conviction of the public at large. It is one thing for men to be held to a certain system by the force of laws and the vigilance of those who administer them ; and a thing entirely different to be held by the firm and habitual persuasion of their own minds. Equality of conditions cannot assume a fixed appearance in human society till the sentiment becomes deeply impressed as well as widely diffused, that the genuine wants of any man constitute his only just claim to the ultimate appropriation and the consumption of any species of commodity.”

At the time Godwin wrote, the word anarchism was not applied to social doctrines, the word anarchy being used in an entirely different sense. The ideas of self-government and individualism, which are the distinctive features of the anarchist's belief, pervade all his writings, so that he is clearly an anarchist in all but the name.

Proudhon, the famous French writer who was repeatedly jailed on account of his fierce denunciation of existing institutions, and who commenced his book with the conclusion at the beginning, charging that “Property is robbery and the proprietor a thief,” assumed the modern name about the middle of the present century by writing as follows : “I have just given you my serious and well-

considered profession of faith. Although a firm friend of order, I am (in the full force of the term) an anarchist." He denounces both property (by which he means absolute private ownership) and communism, and declares for individual *possession* as the necessary condition for social life. In his peculiar style he declared that "Property is the exploitation of the weak by the strong. Communism is the exploitation of the strong by the weak. Communism is oppression and slavery." It will thus be seen at once that little sympathy exists between the anarchists and the socialists, except in their detestation of existing conditions. Indeed, when Herbert Spencer writes of the "Coming Slavery," his thoughts are essentially those of an anarchist, though he is not usually ranked as such, because he is not at warfare with society. He is an extreme individualist, however, very jealous of supposed infractions of personal liberty, and a believer in the ultimate self-government of human beings, all of which are ideas and feelings characterizing the anarchists.¹

Owing to the savage crimes that have been committed by some of the anarchists, the impression is very prevalent that they are low, ignorant, brutal men, whose hands and voices are raised against society in extreme selfishness and malignance. Such is not the case. All anar-

¹ "That form of society toward which we are progressing, I hold to be one in which *government* will be reduced to the smallest amount possible, and *freedom* increased to the greatest amount possible—one in which human nature will have become so molded by social discipline into fitness for the social state, that it will need little external restraint, but will be self-restrained—one in which the citizen will tolerate no interference with his freedom, save that which maintains the equal freedom of others—one in which the spontaneous co-operation which has developed our industrial system, and is now developing it with increasing rapidity, will produce agencies for the discharge of nearly all social functions, and will leave to the primary governmental agency nothing beyond the function of maintaining those conditions to free action, which make such spontaneous co-operation possible—one in which individual life will thus be pushed to the greatest extent consistent with social life; and in which social life will have no other end than to maintain the complete sphere for individual life."—HERBERT SPENCER.

chists are men of great natural intelligence, and, usually, of considerable education. In fact, a dull, or stupid, or shallow intellect cannot comprehend the creed of anarchism, and it is, at first, difficult to grasp thoroughly, even by a powerful mind, if it be not already trained in that line of thought.

At the head of the French anarchists stands Élisée Reclus, the great geographer and scientist, whose name in this capacity, as Dr. Jekyll, is revered throughout the civilized world, while in his other self, personating Mr. Hyde, he becomes an anarchist of the most pronounced and uncompromising type in theory, though he is in practice a kind-hearted, benevolent man, who would not consciously destroy a fly. Reclus thinks the destructive anarchists who have been hanged are noble creatures, dying for the sake of their principles; while nearly all the rest of the world outside of his creed regards the same men with horror and detestation. He is the son of a Protestant minister, and a highly-educated man of refined and gentle manners. During the war of the rebellion he was a staunch friend of the union against the continuance of slave power, and he is an anarchist because of that same hatred of tyranny operating in other directions. In the French insurrection of 1871 he was involved in revolt, and his life was saved only by the petitions of other great scientists, such as Darwin and Wallace. He is an admirer of the French and the American revolutions of one hundred years ago, and hopes for something similar in the present to sweep away what he considers the tyranny of capitalistic power.

Prince Kropotkin, the Russian anarchist, is a warm friend of Reclus, and they agree perfectly in their social theories. Kropotkin is also a scientist of the modern evolutionary type, and one of the foremost thinkers of his age, contributing frequently to current publications of a

high standard. He has with characteristic clearness and decision given his own explanation of the anarchist creed, which will be quoted here as one of the best existing comments on that belief. Kropotkin says in regard to the meaning of the name they have chosen :

“It is the no-government system of socialism.

“In common with all socialists, anarchists hold that the private ownership of land, capital, and machinery has had its time ; that it is condemned to disappear ; and that all requisites for production must and will become the common property of society, and be managed in common by the producers of wealth.

“They maintain that the idea of the political organization of society is a condition of things where the functions of government are reduced to a minimum and the individual recovers his full liberty of initiative and action for satisfying, by means of free groups and federations freely constituted, all the infinitely varied needs of the human being. As regards socialism, most of the anarchists arrive at its ultimate conclusions, that is, at a complete negation of the wage system and at communism. In political organization, they arrive at the conclusion that the ultimate aim of society is the reduction of the functions of government to *nil*—that is, to a society without government, to anarchy.”

Concerning the economical and political belief of the anarchists, the author says :

“The anarchist claims to be an evolutionary thinker. He considers society as an aggregation of organisms trying to find out the best ways of combining the wants of the individual with those of co-operation for the welfare of the species. He believes that the two most prominent, although often unconscious tendencies, throughout our history were : a tendency towards integrating our labor for the production of all riches in common, so as finally to render it impossible to discriminate the part of the common production due to the separate individual ; and a tendency towards the fullest freedom of the individual

for the prosecution of all aims beneficial both for himself and for society at large.

"Therefore, in common with all socialists, the anarchist says to the political reformer: 'No substantial reform in the sense of political equality, and no limitation of the powers of government, can be made as long as society is divided into two hostile camps, and the laborer remains, economically speaking, a serf to the employer.' But, to the Popular State Socialist, we say also: 'You cannot modify the existing conditions of property without deeply modifying at the same time the political organization. You must limit the powers of government and renounce Parliamentary rule. To each new economical phase of life corresponds a new political phase. Absolute monarchy—that is, court-rule—corresponded to the system of serfdom. Representative government corresponds to capital-rule. Both, however, are class-rule. But in a society where the distinction between capitalist and laborer has disappeared, there is no need of such a government; it would be an anachronism—a nuisance. Free workers would require a free organization, and this cannot have another basis than free agreement and free co-operation, without sacrificing the autonomy of the individual to the all-pervading interference of the State. The no-capitalistic system implies the no-government system.'

"It is not a mere coincidence that Herbert Spencer has been brought to conclude, with regard to political organization, that the form of society towards which we are progressing is one in which government will be reduced to the smallest amount possible, and freedom increased to the greatest amount possible. When he opposes in these words the conclusions of his synthetic philosophy to those of Auguste Comte, he arrives at very nearly the same conclusions as Proudhon and Bakunin."

With regard to the injustice of the present social system, which is peculiarly exasperating to the anarchists, Prince Kropotkin says :

"When a rich man spends a thousand pounds for his stables, he squanders from five to six thousand days of

human labor, which might be used, under a better social organization, for supplying with comfortable homes those who are compelled to live now in dens. And when a lady spends a hundred pounds for a dress, we cannot but say that she squanders at least two years of human labor, which again, under a better organization, might have supplied a hundred women with decent dresses, and much more if applied to a further improvement of the instruments of production. . . . When millions of days of labor are spent every year for the satisfaction of the stupid vanity of the rich, so many millions of workers have been diverted from the manufacture of those useful instruments which would permit us to decuple and centuple our present production of means of subsistence and of requisites for comfort.

“Three quarters of all the acts which are brought every year before our courts, have their origin, either directly or indirectly, in the present disorganized state of society, with regard to the production and distribution of wealth—not in the perversity of human nature. As to the relatively few anti-social deeds which result from anti-social inclinations of separate individuals, it is not by prisons, nor even by resorting to the hangman, that we can diminish their number. By our prisons we merely multiply them and render them worse. By our detectives, our “price of blood,” our executions, and our jails, we spread in society such a terrible flow of basest habits and passions, that he who would realize the effects of these institutions to their full extent, would be frightened by what society is doing under the pretext of maintaining morality.

“If all our children—*all* children are *our* children—received a sound instruction and education—and we have the means of doing so ; if every family lived in a decent home—and they could under the present high pitch of production ; if every boy and girl were taught a handicraft at the same time he or she receives a scientific instruction, and *not* to be a manual producer of wealth were considered as a token of inferiority ; if men lived in closer contact with one another, and had continually to come into contact on those public affairs which now are invested in the few ; and if, in consequence of a closer contact, we were brought to take as lively an interest in our neighbors’ difficulties and pains as we formerly took in those of our

kinsfolk—then we should not resort to policemen and judges, to prisons and executions. The anti-social deeds would be prevented in the bud, not punished, and the few contests which would arise would be settled by arbitration.”

Reclus and Kropotkin are fine types of the philosophic or scientific anarchists, who hate tyranny and pity what they consider the wrongs of their oppressed fellow-creatures, yet who do not attempt or advise the immediate violent destruction of the competitive social system to make room for their ideals. The greatest apostle of destruction was Michel Bakunin, the father of Nihilism, who, in a speech made at Geneva in 1868, announced the new creed in the following language :

“Brethren, I come to announce to you a new gospel, which must penetrate unto the very ends of the world. This gospel admits of no half-measures and hesitations. The old world must be destroyed and replaced by a new one. The *lie* must be stamped out and give way to the truth. It is our mission to destroy the lie ; and to effect this we must begin at the very commencement. Now the beginning of all those lies which have ground down this poor world in slavery is God. For many hundred years monarchs and priests have inoculated the hearts and minds of mankind with this notion of a God ruling over the world. They have also invented for the people the notion of another world, in which their God is to punish with eternal torture those who have refused to obey their degrading laws here on earth. This God is nothing but the personification of absolute tyranny, and has been invented with a view of either frightening or alluring nine-tenths of the human race into submission to the remaining tenth. If there were really a God, surely he would use that lightning which he holds in his hand to destroy those thrones, to the steps of which mankind is chained. He would, assuredly, use it to overthrow those altars where the truth is hidden by clouds of lying incense. Tear out of your hearts the belief in the existence of God ; for as long as

an atom of that silly superstition remains in your minds, you will never know what freedom is. When you have got rid of the belief in this priest-begotten God, and when, moreover, you are convinced that your existence and that of the surrounding world are due to the conglomeration of atoms, in accordance with the laws of gravity and attraction, then, and then only, you will have accomplished the first step toward liberty, and you will experience less difficulty in ridding your minds of that second lie which tyranny has invented. The first lie is *God*. The second lie is *right*. *Might* invented the fiction of right in order to insure and strengthen her reign—that right which she herself does not heed, and which only serves as a barrier against any attacks which may be made by the trembling and stupid masses of mankind. *Might*, my friends, forms the sole groundwork of society. *Might* makes and un-makes laws, and that might should be in the hands of the majority. It should be in the possession of those nine-tenths of the human race whose immense power has been rendered subservient to the remaining tenth by means of that lying fiction of *right* before which you are accustomed to bow your heads and to drop your arms. Once penetrated with a clear conviction of your own *might*, you will be able to destroy this mere notion of *right*. And when you have freed your mind from the fear of a God, and from that childish respect for the fiction of right, then all the remaining chains which bind you, and which are called science, civilization, property, marriage, morality, and justice, will snap asunder like threads. Let your own happiness be your only law. But in order to get this law recognized, and to bring about the proper relations which should exist between the majority and minority of mankind, you must destroy everything which exists in the shape of state or social organization. So educate yourselves and your children that, when the great moment for constituting the new world arrives, your eyes may not be blinded by the falsehoods of the tyrants of throne and altar. Our first work must be destruction and annihilation of everything as it now exists. You must accustom yourselves to destroy everything, the good with the bad, for if but an atom of this old world remains, the new will never be created. According to the priests' fables, in days of old a deluge destroyed all mankind; but their God specially

saved Noah in order that the seeds of tyranny and falsehood might be perpetuated in the new world. When you once begin your work of destruction, and when the flood of enslaved masses of the people rises and engulfs temples and palaces, then take heed that no ark be allowed to rescue any atom of this old world, which we consecrate to destruction."

Bakunin's creed is a queer, crazy, terrible belief, only possible, in the exact form here illustrated, to the mind of a Russian or a Frenchman, for these races are nearly alike in their methods of thought and manner of expression, and it is probable that far back in ancient tribal organization their origin was identical. Even in the minds of these people such fearful imprecations on society could not be formulated except when under the influence of the peculiar Russian civilization, with its strange compound of great intelligence among a few, dense, brutal ignorance among the many; extraordinary liberty in the *mir*, tyranny unbearable in the national organization; communism in the village, despotism and private ownership in the palace. Unequally developed social conditions, with the arguments of Siberian exile and the knout, produce unnatural thoughts when applied to better surroundings, but perfectly natural thoughts under such exasperating conditions. It is not to be wondered that there was one Bakunin in Russia, but only that there were not a million. At Bern, the same year, he addressed the following fierce language to the people:

"Your beautiful civilization, ye gentlemen of the west, which you flout in the face of us barbarians of the east, is based on the compulsory servitude of the immense majority of the human race, which is condemned to a slavish and almost bestial existence, in order that a very small minority may live in luxury. The monstrous inequality in the conditions of life is due to your West European system of civilization. This degrading state of

things cannot last much longer, for the manual laborers are determined to look after their own interests in future. They have decided that in future there shall be only one great class instead of two ; that everybody shall have equal advantages for starting in life ; that all shall enjoy the same privileges and support, the same means of education and bringing up ; finally, that every one shall have the same advantages from his labor. . . . I detest communism ; it is the denial of freedom, and I do not like to picture to myself any human being without freedom. I oppose it because it concentrates and absorbs all the forces of society, and because it places all property and capital in the hands of the state. In demanding the abolition of the state, I also wish for the annulment of the law of inheritance, which is nothing but an institution brought into life by the state, and a consequence of its principles. Give all children from their very birth the same means of support and education. Then grant to all grown-up people the same social standing and the same means of supplying their wants by their own labor, and you will see that the inequalities, which are now looked upon as being quite normal, will disappear, for they are merely the result of the difference made in the condition of development. You can even improve nature by destroying the present social organization. For when you have succeeded in making everything and everybody equal, when you have equalized all the conditions of development and labor, then many crimes, miseries, and evils will disappear."

Alluding to the destructive theories of anarchism, Bakunin said :

"When it becomes evident that a person cannot be more severely punished for the assassination of his sovereign than for the murder of a mere comrade, then the people will comprehend that it is quite as just to kill a man guilty of the abuse of power, as to execute a poor beggar who has been tempted by hunger to commit murder. Society of to-day, gangrened though it be, has, to a certain extent, understood this, for Damiens-executions are a thing of the past, and in all legislations, regicide is now

assimilated to mere homicide. Soon we shall see the authors of these so-called crimes enjoying the greatest consideration among us. The old world will have had its time. On its ruins, the poor and oppressed will take each other by the hand, and the true disciples of Christ, that grand Nihilist, will smile when they remember the parable of the poor man in Abraham's bosom refusing a drop of water to the rich man in hell and saying : 'Thou hast had thy time, now it is mine !'

"Then there will arise a new generation, generous-hearted and independent, and all mankind will be happy. The children of our children will be forced to begin our work anew ; but the evils of the future will be less monstrous than those which we now deplore, just as these in their turn are less trying and odious than those to which our ancestors were subjected. And thus, from struggle to struggle, and after centuries of combat, mankind will finally attain perfection and become what is called God. To arms, then, brethren, and follow me to the conquest of this Godhead."

This language, to the people of our great western republic, sounds insanely horrible, and it must be connected with the tyranny which is mainly instrumental in causing it to be thoroughly understood. A pamphlet issued from secret presses, hidden from the despotic government of Russia, during the extreme Nihilist movement, indicates in the following extracts how and why men threatened to destroy all government and to reduce infernal order to chaos :

"The standard of public morality in Russia has already sunk so low that we tremble for the future of our country. Bribery is common throughout the government service, and has even found its way into the Senate. The national treasury is robbed, and national property is distributed right and left to the unworthy favorites of the government. If we were to relate all, it would disgust and tire our readers. We repeat that such a state of things cannot exist much longer. . . . What is the use of com-

plaints that people are hanged for the mere expression of political opinions contrary to those of the government? What is the use of crying for help in the streets when we are attacked and ill-treated by the police? Nobody stirs—nobody protests. . . . These savages hang our friends, who are an honor to Russia; who love liberty, and who devote their lives to the propagation of humanitarian and fraternal ideas. . . . You blame us and get frightened when we happen to kill one of these rascals. Why, then, do you remain silent when we are kept for years in prison without trial, separated from our parents, our wives, and our children, whom we have to abandon to their fate, and often without means of subsistence. We are goaded to madness and entombed alive in the mines of Siberia, and yet you all cry out when you see Menzenstoff fall dead in the street. . . . Do not be surprised at these political assassinations, but rather be astonished that they are not more frequent. Unfortunately for our cause, the majority of Nihilists are too humanitarian, and hence incapable of carrying out many necessary measures."

Thus, it will be seen, there are two types of the anarchist, one in whom hope for the future predominates over hatred of the present, and another in whom intense loathing for existing injustice and inequality suppresses every other feeling. In the destructive anarchist, love of liberty has run mad. Philosophic anarchism, separated from the insanely destructive ideas which a few adherents preach and practice, is an elevated and beautiful conception of social order existing without compulsion among human beings, who to conform to that existence must be raised far above all merely brutal tendencies and instincts into a mental and moral condition nearly perfect, so that each governs himself and shapes his actions in the enjoyment of absolute liberty without wronging in the slightest degree any other human being. It is not a licentious creed that would remove all restraints upon the wicked that they may commit crimes with impunity, but a reli-

gion whose God is perfected human nature, and whose enthusiastic devotees are animated by a sublime faith in the object of their devotion, which leads them to constantly urge that all men will eventually govern themselves without laws, and then *do* right because it *is* right, without the intervention of laws, policemen, judges, prisons, and hangmen. The more enthusiastic anarchists believe that even now people would be better and happier if many of our laws were blotted from the statute books. Noting this phase of the belief, a recent writer¹ says :

“Anarchists believe there should be no government ; by which they mean no government by physical force ; no government to prevent persons from thinking, saying, or doing what they should be free to think, say, or do ; no government for the encouragement of those who invade what should be the rights of others, with the protection of such invaders ; no government to authorize a few to monopolize what should be the opportunities of all ; no government to compel persons to do what they should be free to refuse to do, what it is not necessary for the good of all that they should do ; no government in favor of one class as against another class ; no government to enrich the idle by impoverishing the industrious. They believe there should be no government that interferes with wholesome individual liberty and wealth-producing exertion. But they believe in well-ordered society, in which the wise, the just, the good will rule by precepts, principles, and examples, in which healthful public opinion will utter and morally enforce everything needful for restraint or encouragement. They believe in government, but not government by physical force for the injury of all, or, to use a common expression which means the same, for unjust purposes. They believe in self-control and mutuality.”

Of the philosophic anarchists the same author again writes :

¹ Hugh O. Pentecost—“Sociology.”

"Anarchists do not fight with bombs, but with books ; not with pistols, but with pens. They are not thugs ; they are thinkers. Not powder, but persuasion is their weapon. Not by cannon, but by convictions, do they hope to win."

Following out their lines of thought, the scientific anarchists urge that society has already progressed beyond the need of many laws that were once deemed necessary. For instance, laws once regulated the styles of clothing, the prices of bread, meat, and beer, and even the rates of wages. Combinations of all kinds to change wages were made a felony, and both employer and employés were punishable. The anarchists claim that their principles have been observed in the abandonment of these foolish laws, and they maintain that many of our present laws are equally foolish and injurious, and that they also can easily be abandoned.

In regard to social conduct, the anarchists contend that public opinion already restrains all kinds of offensive individual behavior in public and private assemblages, where only the ordinary rules of social intercourse control people, and they think the same principle of socially ostracising offensive persons would control them in other cases more effectually than laws do. For instance, it is an anarchist theory, believed by many people who are not anarchists in other respects, that society would be better off if all laws for the collection of debts were repealed, and debtors placed squarely upon their personal honesty, with the certain penalty, under such circumstances, of a complete loss of social position and recognition, to say nothing of business credit if they proved recreant to the trust. The anarchist believes that all force-government is necessarily evil. If he is a conservative anarchist, he desires that society shall grow peaceably out of a government by force, with its injustice and

inequality, to a better self-government without the domination of authority. If he is a radical anarchist he proposes in a misdirected enthusiasm to blast society into the happy future with immense charges of dynamite, as a means of advertising his good intentions, and attracting the attention of the dormant people surrounding him to the iniquity of the social institutions they maintain. Both the methods of "the book and the bomb" are said to be educational, but they are different kinds of education; and the latter form is not highly appreciated by those who have not yet reached the conclusions of the destructive anarchist.

The consistent anarchist will not vote or otherwise participate in law-making, for it would be absurd in him to assist in doing what he declares is absolutely wrong. As Mr. Pentecost says, the only thing he really wants to vote for is the abolition of all existing laws. He asserts that even if he were one of a majority, he would not, if he could, impose his will upon another man in the minority. His theory is that every man shall do as he pleases, except that he must respect the same right of self-control in all his associates. When the conflicting desires of men thus associated can be reconciled by a universally correct opinion of right and wrong, then the anarchist's heaven on earth will be complete.

At present the optimistic anarchist considers earth a hell¹ which is being slowly modified by the right kind of

¹ Some of Kropotkin's impassioned utterances, more violent than those quoted, are as follows: "Burn the guillotines; demolish the prisons; drive away the judges, policemen, and informers—the impurest race on the face of the earth; treat as a brother the man who has been led by passion to do ill to his brother; above all, take from the ignoble products of middle class idleness the possibility of displaying their vices in attractive colors; and be sure that but few crimes will mar our society. The main supports of crime are idleness, law, and authority; laws about property, laws about government, laws about penalties and misdemeanors; and authority which takes upon itself to manufacture these laws and to apply them. No more laws! No more judges!

progress ; while his pessimistic associate, believing that its wickedness is unconquerable by pacific measures, proposes to assist Nature somewhat by blowing her hideous creation into nothingness and permitting her to commence another attempt at perfection. The anarchist, then, is an extreme individualist, who may be called the negative pole of the current of social thought, while the socialist is the positive pole ; and as extremes meet, so these two classes have a common ground of belief in the economic advantages of co-operative social effort. Their ideas of government are directly opposed to each other, one wanting much government and the other none, but as they agree in denouncing the present capitalistic system, with its rents, interest, and profits, and also agree in desiring communistic association of labor, the anarchist is often classed as a socialist, without any conception of his real ideas or the nature of his belief on the part of those describing him. The socialist desires to convert the state into a huge communal productive machine, under general laws regulating the hours of labor, prices, system of exchange, and all the minutiae of daily existence on a system of equality ; but the anarchist considers that kind of existence a horribly tyrannical prospect, and prefers the present, which he would modify by abolishing laws and governmental officers and by organizing society into communal groups in voluntary association. In a comparison drawn from the principles of physics, socialism is a solid in which the particles possess an intense attraction and cohesion, while anarchism, in human nature of the present, at least, is a gas in which the particles tend to wander into an infinity of space, free from the control of any other particle. In the present develop-

Liberty and equality and practical human sympathy are the only effectual barriers we can oppose to the anti-social instincts of certain men among us."

ment of the human race it is difficult to conceive a society based on the ideas of anarchism, in which more than one anarchist exists at the same instant. To accomplish the ideals of anarchism we need a better human race or else more worlds in which to place men free from interference.

In spite of its inadaptability to human nature of the present day, there is something grand in the aspirations of scientific anarchism, and something sublime in the faith its adherents exhibit in weak, struggling human nature, slowly shaking off the brute instincts and gross hereditary taints that have come down upon it from the dismal shades of the past. Few of us there are who will not hope that in his view of the future the anarchist may be right, and that men of that day may neither think, nor feel, nor act as our ancestors have done in the past, nor as we are doing in the present.

It is easy for a close observer who will patiently think, to comprehend the apparently unnatural feelings of the destructive anarchists when they deliberately throw their lives away in the perpetration of some crime, shocking with its enormity the whole civilized world, as in the recent assassination of the president of France. Such anarchists are invariably warm-hearted men of strong sympathies, bitter hatred of class distinctions, and intense aversion to the dictation of authority. The whole system of anarchism revolves about the central thought of absolute liberty and freedom from the control of any other human being. Having this nature to begin with, and being usually possessed of much intelligence of that reflective kind which always causes men to mature mentally late in life, to be ridiculed in their youth, and sometimes pronounced dullards because they are not imitative, the embryo anarchist is to some extent naturally unfitted for the practical efforts and duties of life as required by the

competitive system, in which a very ordinary intellect, united with imitateness, adaptability to circumstances, and a prompt and agreeable subservience to authority, is the most efficient factor in securing promotion to that moderate success which most men achieve. The unfortunate temperament of the natural anarchist, and sometimes an equally unfortunate environment, usually causes repeated failures in his early life-efforts under competition, and his keen, reflective intellect seeks for the cause beneath the mere surface of social conditions usually touched by his shallower, but often more successful, associates. It is not at all difficult for any man who will candidly investigate society to find injustice in the social structure, and when the young anarchist discovers it there, he denounces this injustice as the cause of all his suffering and supposed wrongs. He observes the misery of the poor, side by side with the ostentatious luxury of the rich, and with the chivalrous sympathy that always characterizes such stormy, rebellious natures, he immediately becomes the avowed champion of the weaker, and like Don Quixote de la Mancha, he is ready to battle with every windmill that he finds in his way in order to assist the poor and oppressed of the whole world; for the sympathies of the genuine anarchist extend to all human beings except those who are in authority. It is not a selfish crusade, for no anarchist has anything but death or imprisonment to expect as punishment if he is arrested, and nothing personally beneficial to gain if he escapes. He is invariably, from his point of view, trying to startle society into a comprehension of the evils in its own existence, in the hope that a change for the better may result in the relief of the downtrodden people of the world as he sees it, and he literally throws his life away to aid what he believes to be a great and just cause. Whether his methods do or do not accomplish what he hopes for, his motives are in

many cases the same that led Jesus Christ to the cross ; for, like the Saviour, the genuine anarchist is inspired by an abounding love for humanity, and an intense aversion towards the tyranny and luxury of wealth. His faith in the perfectibility of human nature is his religion, and like many another devotee in the past, he becomes a fanatic who believes that what he is other men may be if they will, and that what average human nature may do some day in the future it can do now. Therefore, being a fanatic, he sacrifices his life in the supposed interests of his religion, and dull men look on and wonder what strange animal thus chooses to die when he might easily live. The Nihilists who assassinated the Czar of Russia did so knowing that their temerity involved certain death. They made no attempt whatever to escape, and deliberately died for what they believed was the good of humanity. Even the most careless observer of these social phenomena ought to realize that when a young, handsome, intelligent lady of gentle life and breeding, like Sophie Peroffskaya, deliberately sacrifices her life for principle, the circumstance involves something more than mere brutal destruction.

The beginning of the anarchist's thought and feeling can be experienced by any strongly sympathetic man who views a contest in which the weaker struggles vainly against a tremendous comparative power, and is in the end badly and cruelly defeated. The contest may only be a schoolboy struggle, or even a fight between curs in the street, if the elements of disproportionate strength are not lacking. The sympathetic observer in such cases feels a tide of hot indignation swelling over him, and a fierce desire, sometimes absurdly inappropriate to the apparent importance of the conflict, to seize the victor and punish him adequately to the oppression which he has accomplished by his superior strength. So the anarchist views

society. All our existence is a contest, and the losers, whatever be the causes of their defeat, often cruelly suffer. Those who from inherent strength or accidental good fortune become successful, too frequently tyrannize over their weaker associates with unnecessary severity. The anarchist, with his bombs and his torch, is really the over-enthusiastic champion of the under dogs in the battle of human existence, and he knowingly fights against tremendous odds ; for, like the traditional Irishman and his wife, who were interrupted in the exchange of domestic amenities by a champion of the woman, both the victor and the vanquished in the battle of human life usually turn upon the poor anarchist and crucify him for meddling in the fray. People of the present still enjoy fighting one another. Fanatics never accept advice, but if the destructive anarchists would follow the example of more sensible folk, who never interfere in the domestic quarrels of an Irish family, and would let savage, warring humanity continue to fight in the struggle of human existence till the race naturally loses more of its brutality by the progress of successive generations, undisturbed by their well-meant interference, the result would in the end be accomplished quite as expeditiously and with less suffering to themselves.

Every age in this world judges its own people and institutions very differently from the verdict rendered by succeeding ages. Men do not now regard the Spanish Inquisition as other men did when they established it. Flogging one's wife at the present time is not what the same act was five hundred years ago. Death by torture is not now the appropriate means of terminating an existence that it formerly was. Jesus Christ, to the men of the present age, is a being quite different from the one who was scoffed at and reviled, tortured and crucified, by a populace determined to exist under their own ideas of life

and not according to His teachings. There will come a time, perhaps, when, if the records of our present history be preserved, the anarchists of the present, cursed and reviled by their contemporaries, will be regarded then as the sturdy and self-sacrificing pioneers of a new civilization and a new advance in social morality. Some day, and perhaps not very far in the future, men may regard our own anarchists of Chicago, dying with the cry of "Listen to the voice of the people" upon their lips, as men more to be pitied than blamed, when their real character and the nature of their environment is thoroughly understood, as only the moral light of the future can reveal it.

The anarchist is a man whose moral sentiments are many years in advance of the average sentiment by which he is surrounded. He judges our social institutions by the ethics of the future instead of the ethics of the present. He shocks and horrifies society because he understands neither its slow growth, nor its habitual conservatism, nor the impossibility of its institutions becoming any better than the men who make them. He does not even understand his own nature or comprehend that he is mentally and morally living in the future instead of the present, when the very fact that men generally reject his ideas indicates that he is too far in advance of them.

If the anarchist understood these truths, he would comprehend, what it is to be feared that but few people, whether reformers or not, thoroughly understand: that, no matter what form of government or no-government exists in any country, be it China, Russia, England, the United States, or even the ideal anarchist community wherein no laws, judges, and policemen are to be found, the social institutions will inevitably and invariably express the moral sentiments and desires of the majority—if not the majority of actual numbers, at least the majority

of power, which, in the final contest for a decision by appeal to brute force, is usually and naturally the majority of numbers. There is a queer assumption apparent in the works of many writers, that some kinds of government are imposed upon the many by the few without the consent and approval of the masses of the people. In the conception of such writers, a despotism is the work of a small, privileged class in a nation, who seize the power and who hold it in tyranny over the common people in spite of their protestations and resistance. We prate of our own "government by the majority" as though it were something peculiar to a republic, and congratulate ourselves that this form of government is essentially different from older types. Prince Kropotkin is evidently impressed with the idea that some countries are not ruled by the majority when he says, "It is becoming understood that majority rule is as defective as any other kind of rule," as though some other kind of government not really the rule of a majority had ever existed. The same fallacy appears in the writings of Thomas Jefferson, one of the greatest thinkers and purest patriots of his age, when he contended that at times it was necessary to fertilize the earth with the blood of tyrants that the seeds of liberty might grow, for he evidently thought that the responsibility for bad institutions devolved upon the few and not upon the many. The same idea is to be found in the writings of a hundred other prominent men, where it is assumed that the expression of public sentiment by voting is something radically different in its nature from more primitive forms of government, so that in contradistinction it may be called the control of the majority.

The truth is that all government, however constituted, whether it be despotic or liberal, no matter whether the people do or do not vote, is the government of the majority, and all government must ever be so conducted.

Russia's government is despotic and China's institutions are brutal, because the majority of their people are despotic and brutal. South America's republics do not afford really good government, because the people who live under them cannot make institutions any better than themselves, no matter what the form, and the masses of the people in those countries are still barbarians only recently descended from the undeveloped Indian races. We of the United States complain of corrupt government that we see around and over us, yet those institutions, with all their monopoly, fraudulence, and bribery, are an emanation from ourselves—from the majority that rules this country exactly as every other country is ruled. Our legislatures, our municipal boards, and our congress are samples of the people quite as good and no better than the mass of public sentiment that sustains the pursuit of wealth by methods that a later progress and a more highly developed moral sense among the people themselves will ultimately condemn and abolish.

The people do not vote in a despotism, but, nevertheless, they adopt and sustain that form of government themselves ; it is not thrust upon them by any other power than their own wills and their own defective moral sentiments. Tyranny accompanies the institutions of uncivilized races because barbaric man is a tyrant in heart and mind, universally among rich and poor, and he cannot comprehend the principles of liberty, equality, and fraternity. For him, no other government than a despotism, be it in the form of a republic or a monarchy, is possible ; for he is a brutal tyrant at heart, and he will be a brutal tyrant in his manners and customs, his religions and his laws. The people of every nation have the power of making changes in their institutions, but the tyranny of their ancient savage existence remains with them till the slow development of the

moral sentiments awakens new feelings of duty one to another, and then the habiliments of the past fall away like the lower branches of a great forest tree in its own progress towards the blue sky above it. A cruel, despotic government, characterized by long terms of imprisonment and sanguinary executions for political offenses, is merely the outward sign of a people whose character is the same. The sale and purchase of votes, the bribery, and the influence of money in all the legislation of this country are merely the symptoms of a public sentiment which has made of money a God, and worshiped its accumulation in the press, the pulpit, the home, and the halls of justice. The greed for wealth has been the characteristic feature of modern civilization, and it is finding its natural expression in the social customs and legislation of the people. Whether this wild spirit of accumulation for its own sake can be controlled by more rational ideas remains to be seen, but our laws will only change after a changed sentiment exists among the people, and to that higher sentiment this book appeals.

In every stage of development among every people, a few men exist whose moral sentiment in the feeling of duty toward fellow-creatures, is immeasurably in advance of the usual spirit displayed by their associates. Some of the mysterious principles of heredity doubtless form the unusual development of character, but, whatever be the cause, life for such men is misery. Living in the future, so far as their inner convictions are concerned, they cannot understand the present, and their condition is like that of an average man of the present era would be were he compelled to pass the remainder of his existence among the savage tribes of Africa, and not know that he was morally in advance of those people. No people existing under the same laws are equally civilized. It is useless for the

foremost in ethical development to preach and pray for reforms or changes greatly in advance of the average thought and feeling, for government rests ultimately on physical power, and that power is with the majority, no matter what we may say, or do, or believe.

Therefore, the people of the present will continue to hang the destructive anarchists and laugh at the scientific theorists, for as an average body of human beings they are not capable of existing without laws or of governing themselves, and treating one another justly; and they know it. The great fallacy of the anarchists is their supposition that the people of any country are any better or any worse for their laws. It is the old, old mistake of substituting effect for cause, and thinking that the condition of the people is altogether due to their laws, instead of the nature of the laws being due to the condition of the people. To me the saddest thing in the creed of the destructive anarchist is his unswerving faith in the worthiness of the poor, and his extreme hostility against the wealthy and powerful, under the delusion that the few are to blame for tyrannizing the many. He does not perceive that the responsibility belongs to all classes, and that the beggar would often be a greater tyrant than the millionaire, if he had the wealth. Nor does he understand that the real reason why men of the present do not co-operate, and why they resent interference (like the Irishman and his wife) is because they enjoy fighting with one another, and believe fighting is morally correct. Disregarding the fact that the worst conditions of the present merely indicate that the people are not so good as they ought to be and will be, the radical anarchist is usually not content with those gradual changes in public sentiment which constitute the only true reform, and he relies too implicitly on the delusive idea of a sudden transformation.

This being the nature of anarchism, is it not evident that propositions seen so frequently now in the press of this country, urging that anarchists should be prevented from migrating to the United States, display an absurd conception of the social question? Anarchism is developed in every country by the changing thought of its people. It is not imported like salt or sugar from foreign nations; it comes and will continue to come out of our own people when their most daring pioneers become dissatisfied with existing institutions, and cry for change. Thomas Jefferson expressed many principles of anarchism in his utterances during the early history of this nation, yet he is revered as the father of our democratic institutions and the faithful champion of liberty. In the strike of 1894 there were many excited men who, suspecting that the national power was to be used to protect monopolies, began to denounce the government. The real anarchism which the people of the United States need to fear is not any imported European form, but the fierce discontent among our own people, who are beginning to comprehend inequitable conditions and to adopt new ideas of right and wrong, without knowing what they should do to make their social institutions conform to the new moral sentiment. The right way to repress the growth of destructive anarchism of this kind is not by fencing out foreign emissaries and imprisoning men for anything except actual crimes, for such feelings were never yet in all the history of the world repressed or lessened by brute force, but by adopting gradual changes in our institutions to comply with the changing thought of the people.

All government is alike in being the dicta of a majority, but the best government is that which frequently and faithfully reflects the real opinion and sentiment of that majority, and which enables the people to quietly and

peaceably express their ever-changing ideas of right and wrong in their social institutions, without being compelled to resort to the savage tactics of armed revolution and brute force. From the beginning of human existence to its termination, the people surge onward, changing day by day their thoughts; year by year their laws; century by century their religions and their Gods.¹ Woe to the poor weakling, imbued with the pride of temporary position or power, who would stay their progress by an appeal to the worn-out and discarded institutions of the past. Let him not try to bind his fellow-creatures with precedents and decisions, ancient customs and paper constitutions, inflicting the tyranny of the past upon the progress of the present; for, be they right or be they wrong, the majority of this people will rule in the future as other majorities have ruled in the past, and obstruction to the popular will means bloodshed. In the education and direction of public sentiment and not in its repression lies the only safety for those in power.

Such being, in brief, the nature of socialistic theories and

¹ The God of the ancient Hebrews, worshiped 5000 years ago, is quite accurately described in slang phrase as "a holy terror." He was a powerful, vindictive, capricious, bloodthirsty tyrant, who felt neither love, mercy, nor justice. He punished disobedience among his people, of whom he unjustly made favorites, by opening chasms in the earth to kill hundreds of them; by destroying thousands with a plague; by sending fiery serpents among them. He was a jealous demon who announced himself as a "consuming fire," and who assisted his favorite people to slaughter men unmercifully, to enslave their women and burn their cities. Three thousand years later this ideal of perfection had greatly improved. Some conception of charity and justice appear in his utterances, but he still maintained a hell in which he proposed to eternally roast those of his creatures who rashly died without believing in his infinite love and mercy. The later progress of 2000 years has still further civilized this originally sanguinary being; but as water never rises higher than its source, so the Gods of the nineteenth century are no better than the best thoughts and feelings of the nobler men and women who have replaced their savage ancestry.

ideals, how shall we define socialism? It assumes many slightly divergent forms of belief, but in all of them socialism is the antagonist of our competitive life, and in this fact is found its essential nature. Socialism is the destruction of competition, and the amount of socialism involved in any proposed law is measured by the amount of private competitive effort that it displaces, for the invariable theory of socialism is that people are to labor together as partners instead of working individually as competitors. Judged by this standard, is the abolishment or restriction of bequests and inheritances a socialistic measure? Clearly it is not; for it makes all men competitors by depriving some of them of the wealth not secured by their own exertions, and placing them under the necessity of exerting their brains and muscles in life-effort. It displaces no competition or individual effort whatever, but it substitutes for the lying and unjust competition of the present, in which the heirs of wealth are set against the heirs of poverty, a fairer and more nearly equal struggle in which every individual must attain prosperity and leisure by his own exertions and not from those of his ancestor. It will not give to men equal wealth for unequal effort—the basis of the present objection to socialism—nor will it give immense wealth to a comparatively few individuals who have made no effort whatever, as under the present social system; but it will be a change tending toward fairness in a contest that humanity is not yet prepared to abandon, and tending to teach every human being that social radiance must emanate from his own light and not from the reflected beams of his predecessors, however eminent.

Something over one hundred years ago progressive humanity in Europe and America attacked and abolished to some extent the heredity of governmental and official power, and in the United States our forefathers established

a republic instead of a monarchy. In the present movement the battle will be fought over again; but the real kings are money-kings now, and the people will decide whether they shall permit this kind of power to continue in its present hereditary form. It is logical to assume that they will apply to the money-king the same principles they have already applied to the political-king, and, in the end, neither permit him to name his successor nor permit the accident of birth to designate their future sovereigns. The power of the state and the power of great wealth must both be subjected to the control of the people who create them, and not remain under the dictation of individual desires nor the sport of chance.

The changes proposed in these pages are not socialistic, for they embody only the requirements of fair play and genuine competition between men who are compelled by the nature of our social system to enter into a conflict, and who, therefore, should have equal opportunities of cutting one another's throats. When society shall refuse absolutely, in all cases, to give something for nothing to its individuals, it will be on the high road to genuine reform. At present we meet the slovenly tramp at the rear entrance to our homes with frowns and suspicion, demanding that he must work if he would eat, meanwhile permitting our social affairs to fall into such a condition that no work is to be done. Having thus conscientiously performed our social duty in regard to the tramp, we • hasten to the handsome doorway at the front to receive with smiles and bows the neatly-apparelled heir, according to him freely all the vast wealth he has not earned by labor any more than the vagabond whom we kicked away from the other door. That adjustment of the right to wealth and the right to use earth as a home is not consistent and not fair. It is not just. It is lying hypocrisy to give all for nothing to the rich man's child, and then

drive the poor man's sons and daughters to lives of destitution, crime, and misery, when they ask merely for an opportunity to labor and to use a portion of that earth which is our common home.

Latter-day socialism is promulgated in many different forms, one of the most frequent being the crude assertions of labor-agitators, who see nothing in the problem but capitalists and their employés, and who disregard the great multitude of men not particularly or prominently identified with either class. This agitator heralds an immediate transformation of the nation into a great communism as a perfectly feasible and happy solution of all the labor troubles. In the minds of such newly-fledged socialists the possession of wealth is the criterion by which they determine personal worth. Like the detestable sycophants who cringe under men above them, and tyrannize over men below, such socialists are also unjust in judging men merely by their stations. The sycophant sneers at men in humble station merely because they are poor; the radical socialist abuses wealthy men merely because they have property. According to his notions, all but those who perform physical labor are parasites upon society. The employer is a robber to the extent of his profit upon the service of his laborers. Rent and interest are morally wrong, and their collection is no better than theft. The wealthy are responsible for all the social ills, and the poor remain in poverty solely from oppression. An intense bitterness pervades his denunciation of competition, society, religion, wealth, capitalists, and profit, and there is little appeal to any higher motive than mere resentment in this socialistic creed. Such agitators are supposed by some people unfamiliar with radical thought to be insane in their delusions; and others, unaware of the extent to which such ideas have developed, merely laugh at their denunciations, obli-

ous of the real condition of society and public sentiment. It is ignorance on one side set against ignorance on the other, and therein lies the danger. Fortunately the thorough consideration of socialism usually removes the idea that a sudden social transformation is possible, and it also tends to allay the bitter feeling against wealthy men, by convincing the thinker that such evils as exist are not the fault of classes, but the natural results of a general system of life-effort based upon man's existing moral condition. In contrast with the embittered form of the socialist, equally ignorant and equally unfair is the man who wants no changes and who insists that the hardships of the poor are entirely their own fault. It is easy for him to show that extravagance and vice bring poverty where comparative comfort might exist, and with this superficial view of social effort he rests content, without the mental labor of analyzing the nature and results of human effort, the final result of competitive production, the nature of the great industrial depressions, and the principles that underlie the swarming of men in search of work while wealth surrounds them.

It is not profitable to discuss at length the advantages and disadvantages of a communistic system which exists only in the hopes of its advocates or the fears of its opponents, for the real socialism of the future, partly in existence now, will unquestionably be very different from all these imaginary creations. It is not possible for any sudden transition to be accomplished, for men must socialize their hearts and minds before they can really socialize their institutions, and a premature attempt to accomplish the latter progress would result in a farcical socialism comparable to the pretended republics of South America and Mexico or to a free public-school system among the Apaches. History proves that all our social institutions are the result of a slow growth among the

people, a bit being added here and another cut away there to meet the approval of changing moral sentiments and economical needs. The people of Europe and America are now fitted for more socialism than they were fifty years ago, but by attempting something far in advance of their own progress, they will merely become involved in internecine strife, and will revert to forms more in consonance with their real nature. Forms of socialism are nothing without the socialistic spirit, and people will need to learn how to co-operate before immediately attempting much further co-operation. In this country the socialistic progress will probably take the railroads under public management as the next step, but the socialistic state of the future will be approached very gradually, for the simple reason that men become civilized only in that way, and that no progress in social institutions can be made faster than the moral development of the majority. The purest socialism is merely the expression of universal brotherly love, and no student of the past can doubt that humanity slowly approaches a realization of that view of human destiny ; but the result can be accomplished only by those infinitely minute changes in the human race, and not by the adoption of mere forms. Socialism will come as rapidly as men are prepared for it, but until they are morally more sociable animals than they are now, they will continue to fight one another, regardless of mere laws and names.

For these reasons we continue to exist under competition, and we cannot judge the conduct of the present by the morality of the future. If we consent as a people to a complete socialistic life, the continuance of rent, interest, and profit will become not only morally wrong, but economically impossible. But if a human being is compelled to run a race against his fellow-creature, he must necessarily favor himself and not the other man's inter-

ests. Under competition there must exist a right of property, and that right must apply uniformly to rich and poor. When the laborer who follows Karl Marx's theories of rent, interest, and profit, is prepared to give to another man the indefinite use of the last coat he possesses without compensation or even gratitude ; when he is prepared at any moment to take into his own home, without price, any other man who applies for shelter ; when he will lend to any neighbor the dollar in his possession, for unrestricted use without increase ; when he will agree to labor for any employer and to share in his losses if he be unsuccessful—then, and not till then, can he consistently denounce compensation for the use of property, which is identically the same in the hands of both rich and poor, both capitalist and laborer, and a just and necessary feature of the competitive system.

The rich and the poor under competition must use property alike, and be judged by the same standards. It is absurd for laborers to denounce in capitalists the same principles of wealth-control which they put into operation in every transaction of their own lives. The evils of competition are general, and the rich man is not different from the poor man except in having more power. The average poor man, plus wealth, and perhaps special ability, becomes the average millionaire. Morally there is no distinction between them, for the demands of laborers, when they feel power in their hands from successful organization, are quite as imperious as any imposed by capitalists. The social question does not alone concern the forces ordinarily grouped as capital and labor, and it will be decided mainly by those not entirely identified with either of these classes, who will interfere in the struggle between these two unreasonable and selfish contestants. The capitalist will be taught that he is the life-trustee for the people, and his employ  s will be

made to understand that in modern society they owe a duty to the whole people that transcends their personal privileges. There is a broader and higher plane than the contest between capital and labor, upon which the social question must be discussed, and as ignorance disappears before the spirit of inquiry, all the contestants will take their places upon it. Then the question to be decided will not be the adjustment of strikes and lock-outs, but the definition of the rights to property and the right to use the earth.

CHAPTER XIV.

ENCHANTED WEALTH.

To whom, then, is this wealth of England wealth? Who is it that it blesses; makes happier, wiser, beautifuler, in any way better? Who has got hold of it, to make it fetch and carry for him, like a true servant, not like a false mock servant; to do him any real service whatsoever? As yet no one. We have more riches than any nation ever had before; we have less good of them than any nation ever had before. Our successful industry is hitherto unsuccessful; a strange success if we stop here! In the midst of plethoric plenty, the people perish; with gold walls, and full barns, no man feels himself safe or satisfied. Have we actually got enchanted then; accursed by some god?—THOMAS CARLYLE.

IN western Yankee land "hard times" is a unique phrase applied to the industrial depressions which have afflicted modern civilization in all parts of the world at comparatively brief intervals in the last one hundred years, especially since the forces of productive machinery and rapid transportation have been called to the assistance of human effort. In recent years a wordy warfare has been waged among the politicians and political economists of every country concerning the causes of such depressions, and almost every kind of political action bearing in any way upon the revenues or financial policy of the nations afflicted with hard times is attacked by

one faction or another as the principal if not the only cause of the disagreeable phenomena. In the United States, free traders and low-tariff advocates denounce protection ; protectionists blame free-trade propositions and tariff reductions ; gold-standard advocates denounce former silver laws ; free-silver partisans denounce a supposed monopoly of gold ; and believers in abundant paper money denounce all the other classes and their methods of relieving hard times.

One theory is too much production ; another, too little consumption ; a third, too much speculation ; and a fourth, not enough money. One political party proposes to cure the evil with high tariff ; another with low tariff ; a third by issuing paper money ; and a fourth by destroying liquor. The disciples of Henry George view these disputants from afar, insisting that they are all wrong, and declaring that the private ownership of land is the real cause of industrial depression. These are samples of a thousand different views held with more or less tenacity and faith by the people of the United States, and it is likely that a similar diversity of opinion exists in every other country afflicted by the same evils. In searching for a cause, nearly all merely casual thinkers neglect two prominent features connected with these disastrous periods. One is, that usually the whole civilized world is similarly affected at any given period, although the extreme depression of the wave may not reach any two distant points at exactly the same time ; the other is, that since the great arteries of commerce formed by steamship and railway lines connect the nations constituting our modern civilization, those countries are really bound into one vast industrial nation, in which the people differ in government, language, religion, habits, and customs to some extent, but wherein identically the same industrial processes exist, with almost as thorough a system of exchange between

the people as there would be if no boundary lines existed and all were amalgamated under a single government. Remembering that hard times are an *industrial* depression, and not a *political* or a *religious* depression, we need also to bear in mind that the whole civilized world is really bound together by its system of production and exchange into one great industrial nation, and that the industrial depression afflicts all parts of that great composite nation at approximately the same time.

It is, of course, impossible in a structure so complex as modern society that only a single cause shall produce every one of the myriad effects to be noted in the different localities where industrial depressions exist, but as these great waves of alternate prosperity and adversity sweep at somewhat regular intervals over the entire civilized world, their essential features being the same in all parts of it, the theory seems reasonable that a general cause must exist for a phenomenon almost universally the same in its effects over so wide an area at practically the same time, instead of a multitude of lesser causes.

The real nature of hard times must be studied before seeking for the cause. Many disastrous famines have afflicted various portions of the world, and their terrible history is still recorded occasionally, although modern civilization has lessened their severity. These famines have been characterized by some of the phenomena attending the industrial depressions, but there is no parallel of conditions. When the famine occurs, food is lacking from the failure of crops, and all that men eat and wear becomes scarce, with high prices for all that is to be consumed. Poor people dependent immediately upon the products of the soil they cultivate, sometimes suffer to the extent of starvation. It is the grim specter of want driving human beings to the last extremities in fields that have refused to yield enough to sustain life.

Our industrial depressions are like the famines in the existence of suffering among the poor, but with that similarity the likeness ceases. Amidst what people term hard times, neither food nor clothing is scarce. Everything that man needs to eat or to wear is profusely abundant and exceedingly cheap. The farmer's crops do not usually fail, but he is unable to sell them except at prices that scarcely leave him a profit or sometimes involve a loss. Manufacturers complain that they cannot sell their products, and close their factories. Idle men abound, and employment is scarce. Business is stagnated, commercial transactions become unprofitable, and frequent insolvency results. Lack of profitable employment compels the thrifty laboring classes to withdraw their savings rapidly from the banks, and the weakest banks suspend payments. Panics usually succeed these suspensions, and the confidence of the people in the solvency of banking institutions is destroyed. Runs upon the savings banks occur; the banks are compelled by the pressure to call in all their available funds to meet the demands of depositors, and are obliged to refuse to make new loans even on the best of security, although their vaults may be bursting with coin, for fear that their timorous depositors may bring to bear too great a pressure. In the business world, nothing seems capable of yielding a profit; men cannot obtain money to pay their debts, and they say that it is scarce; investments cease to be made in new undertakings, property of all kinds depreciates in value, and life, to the faithful subjects of Mammon who inhabit this planet, appears to be literally not worth living. The unemployed swarm over the country seeking an honest means of earning a livelihood by labor at first, and gradually degenerating into thieves or beggars, according to their mental and moral characteristics, when their necessities become more and more

stringent. In the winter these outcasts from modern civilization seeking shelter from the storms and cold, congregate in the large cities, where they develop into Coxey armies to afflict a wondering, puzzled people with a troubled apprehension of their unpleasant existence, and compel them to develop something like an attempt to remove the worst features of the evil condition. The salient features of an industrial depression in agricultural pursuits are described vividly in the subjoined extract from a letter sent by a young man in the State of Washington to his brother in Connecticut during the recent general prostration :

“DEAR BROTHER :—Times are dull here, and everybody who has work at all is working for small pay. But living is cheap, that is one thing. People are not complaining for cheap eatables. Things are too cheap. Just think of wheat selling for 15 cents a bushel—60 pounds. People are so hard up for cash that they have to sell their wheat for any price. There are ranches down in the Pullos country with from 150 to 200 acres of wheat standing in the field ; can't get money enough for it to pay for cutting and threshing it ; 15 cents won't do it, and the farmers, some of them, have let it go to waste. They haul potatoes to town by the load and can't get 30 cents a hundredweight ; and as for houses, you can get one to live in for nothing ; there are any amount of them empty. Out on the car lines you can get houses to live in free of rent, so that the owner can keep up the insurance ; you can't keep up insurance on empty houses, and sooner than have their houses vacant, they will let you live in them rent free. A trade don't do a person much good here now, and if you are out of work, you have to cast your trade aside and work at anything you can get to do. Great changes have taken place here within the last few years. Men who have been worth money are now without a dollar and working on the railroad for a living. I used to know a preacher, when times were good, who had a good church in the country ; he is a roustabout in a grocery store now. Carpenters, plumbers, and mechanics

of all kinds have to work at whatever kind of work they can get to do, at from \$1 to \$1.25 a day and board themselves. Carpenters used to get from \$3 to \$4 a day, but now the best don't get more than \$2 to \$2.50, and can't get work at these wages more than half of the time. I would sooner live in a country and pay \$5 for a fifty-pound sack of flour, and a dollar a slice for ham, than to live where you can get the sack of flour for 50 cents, for, where prices are high, there is money in sight."

The industrial depression of such frequent recurrence in the last half century is not the picture of starving humanity surrounded by barren fields and blasted crops. It is not the destruction of droughts, nor floods, nor the effect of any unkindness whatever in either God or Nature. It is poverty in the midst of plenty.¹ It is the

¹ The following extracts clipped from the daily press during the winter of 1894-5, are illustrative of the modern depression and its real nature.

LONDON, MARCH 7, 1895.—A plasterer named Taylor, living at Lower Tooting, near London, cut the throats of his wife and six children this morning and then took his own life. All the family are dead except one child, who is at the point of death.

The crime was the outcome of the extreme destitution that prevails among many of the working classes. Taylor was a sober, steady workman, but had been thrown out of work by the remarkably cold weather, which brought all building operations to a standstill. Not being able to provide for his family, his mind became unhinged, and it is evident he determined to kill them and then himself, in order to save all from slowly starving to death.—*San Francisco Chronicle*.

MARCH 6, 1895.—President Cleveland, in going to the representatives of the Rothschilds for financial help for this government, has followed an ancient precedent. It is the business of the Rothschilds to help out (for a consideration) nations whose rulers, by their folly or incompetence, have plunged themselves into financial distress. In that business they have become the richest and most powerful family in the world.—*Chicago Tribune*.

Driven to despair by hunger and cold, James Watson deliberately committed a crime early yesterday morning in order that he might be sent to jail, where he can get food and shelter for a few months at least. At 1 o'clock yesterday morning he applied at the Central Police Station for a night's lodging and a cup of hot coffee.

"We cannot take in lodgers here. You must go to the old City Hall," explained Turnkey Hickey.

"Well, if you will not let me in now, you will have to take me in after a while," said Watson as he turned away from the prison.

About two hours later Officer John Galloway and Special Officer

picture of barefooted men perishing for food in a world of wealth ; starving for bread among warehouses full of wheat ; shivering for want of a shirt while other human beings, having stores of wool and cotton, scour earth in vain to find purchasers who will buy at a price yielding to the producer a profit. It is a time when poor men pray for work and wages ; when they wear out roads and shoe-leather searching for an opportunity to live ; and when rich men work and worry unavailingly to protect their accumulated stores from depletion, to prevent their business undertakings from failing, and to save themselves from being involved in the almost universal panic and destruction of property that spreads through the industrial world.

Hussey were on the south side of Market Street and saw Watson stop in front of O'Brien's dry goods store at Market and Jones Streets. With great deliberation Watson took a heavy brick from his pocket and hurled it through the large plate-glass front of the store. The crash could be heard for two blocks. In a moment the officers were by his side, for Watson made no attempt to escape.

"Yes, I am the guilty party," he said. "I intended to break that window. Now you will have to take me in. An empty stomach knows no conscience, and that is about the fix I am in."

The prisoner was charged with malicious mischief. He was taken before Police Judge Conlan and pleaded guilty to the charge. He will be sentenced to-day. Watson is a small man, about 40 years of age. To a *Chronicle* reporter he stated that he is an upholsterer, but has not been able to secure work, either at his trade or in any other line, for the past three months.

"I spent all the money I had earned," he said, "and I have lived more like a tramp than a human being ever since. Hunger and cold made me desperate enough to break that window. I could not get shelter in the prison, and I turned over in my head whether I would rob some one or smash a window. I thought that the window would be the best. If I had known that this window was so costly I would have sent the brick through a smaller one. I saw the officers when I threw the brick, and intended they should see me. This is bad business I know, but starving is worse."

He was sentenced to six months' imprisonment by Judge Conlan yesterday. The Judge said he was sorry the law forbade him to lengthen the sentence.—*San Francisco Chronicle*.

Thirty-five fortunes have passed through the Probate Court of San Francisco ranging from one million to twenty-two millions of dollars each in value.—*Chronicle*, Dec. 28, 1894.

The discovery of the emaciated remains of a month-old infant in a

In America the commercial depression is a reproduction of scornful Thomas Carlyle's picture of England, when its condition was "one of the most ominous and withal one of the strangest ever seen in this world : "

"England is full of wealth, of multifarious produce, supply for human want in every kind ; yet England is dying of inanition. With unabated bounty the land of England blooms and grows ; waving with yellow harvests ; thick studded with workshops, industrial implements, with fifteen millions of workers, understood to be the strongest, the cunningest, and the willingest our Earth ever had ; these men are here ; the work they have done, the fruit they have realized is here, abundant, exuberant, on every hand of us : and behold some baleful fiat as of Enchantment has gone forth, 'Touch it not, ye workers, ye master workers, ye master idlers ; none of you can touch it ; no man of you shall be the better for it ; this is enchanted fruit.' On the poor workers such fiat

dismal apartment on Oregon street yesterday brought to light a sad story of destitution. The child had starved to death. John Harkins, a longshoreman, is the father of the child, and he is one of the many unfortunates who are unable to obtain employment. He has the reputation of being an industrious man when he can find anything to do, and is honest. It is known that he has sought employment diligently, but with no success.—*San Francisco Chronicle*, February 22, 1895.

If we take a survey of mankind in ancient or modern times as regards the physical, mechanical, or intellectual force of nations, we find nothing to compare with the United States in this present year of 1895.—Michael G. Mulhall on "The Power and Wealth of the United States," *North American Review*, June, 1895.

Baby Rotenbaum is dead. The Rotenbaums were evicted nearly a month ago from No. 94 Pitt street. Max Rotenbaum, the father, is a striking cloakmaker. When they were put upon the streets the child caught cold of exposure. The family found refuge at No. 51 Jackson street. The child, through lack of proper food, grew worse. The union was asked to secure medical aid for it, and a physician was sought. He demanded his pay in advance. The committee which had called upon him offered \$1, which was all they had. The doctor contemptuously refused to have anything to do with a \$1 case. Max Rotenbaum went in despair to the Delancey Street station and begged the sergeant to send a physician to the baby. He was roughly ordered out. Somebody told Rotenbaum that the Board of Health might aid him, and he went there. He was ordered out again. When he got home the child was dead. The Union started an effort yesterday to raise a fund to bury it.—*New York Morning Advertiser*, January 5, 1895.

falls first, in its rudest shape ; but on the rich master-workers too it falls ; neither can the rich master-idlers, nor any richest or highest man escape, but all are like to be brought low with it, and made poor enough, in the money sense or a far fataler one. Of these successful skillful workers, some two millions, it is now counted, sit in Workhouses, Poor-law Prisons ; or have out-door relief flung over the wall to them. They sit there, these many months now ; their hope of deliverance as yet small. In workhouses, pleasantly so named, because work cannot be done in them. Twelve hundred thousand workers in England alone ; their cunning right hand lamed, lying idle in their sorrowful bosom ; their hopes, outlooks, share of this fair world, shut in by narrow walls. They sit there, pent up, as in a kind of horrid enchantment, . . . an Earth all lying round, crying, Come and till me, come and reap me ; yet they here sit enchanted. In the eyes and brows of these men hung the gloomiest expression, not of anger, but of grief and shame and manifold inarticulate distress and weariness that seemed to say, Do not look at us. We sit enchanted here, we know not why. The Sun shines and the Earth calls ; and, by the governing Powers and Impotences of this England, we are forbidden to obey. It is impossible, they tell us ! ”

When Want and Wealth thus march together, linked arm in arm, over God's earth, are we to wonder if Want shall complain ? Do we not impose upon poverty-stricken wretches, however blameless or blameful their lives may have been, the tortures of Tantalus when useless riches and abject misery are thus mingled ? What ails the world when men seem too numerous to obtain food and food too abundant to secure a price ; when thousands of men pray for food to eat, and other thousands pray for men to eat it ; yet, when men and food both appear worthless ? Do not, O reader, turn from this problem with indifferent glance and smile. One day it will call for answer when you *cannot* pass it by. Hear the Scottish seer:

“And now the world will have to pause a little and take up that other side of the problem, and in right earnest strive for some solution of that. What is the use of your spun shirts? They hang there by the million unsalable; and here, by the million are diligent bare backs that can get no hold of them. Shirts are useful for covering human backs; useless otherwise, an unbearable mockery otherwise. You have fallen terribly behind with that side of the problem! Manchester Insurrections, French Revolutions, and thousandfold phenomena great and small, announce loudly that you must bring it forward a little again. Never till now, in the history of an Earth which to this hour nowhere refuses to grow corn if you will plough it, to yield shirts if you will spin and weave in it, did the mere manual two-handed worker (however it might fare with other workers) cry in vain for such wages as *he* means by fair wages, namely, food and warmth! The Godlike could not and cannot be paid, but the Earthly always could. Gurth, a mere swineherd, born thrall of Cedric the Saxon, tended pigs in the wood, and did get some parings of the pork. Why, the four-footed worker has already *got* all that this two-handed one is clamoring for! How often must I remind you? There is not a horse in England, able and willing to work, but *has* due food and lodging; and goes about sleek-coated, satisfied in heart. And you say, It is impossible. Brothers, I answer, if for you it be impossible, what is to become of you? The human brain, looking at these sleek English horses, refuses to believe in such impossibility for English men.”

Impossible to understand or alleviate these evils? Let us see. Years ago I knew an uneducated man of strong natural abilities, who was fond of mathematics. Although ignorant of the processes used in the higher mathematics, and unfamiliar with the ordinary principles of the science beyond the methods of arithmetic, he nevertheless solved many difficult problems, usually supposed to require the application of algebra and geometry, by a process of his own, which he called, in homely phrase, “boiling the

question down." His plan was to begin the investigation by substituting smaller numbers and simpler relations for those actually involved in the problem; and by continuing to vary them he gradually progressed to a comprehension of all the difficulties involved in the question before him.

May we not apply the process of "boiling down" to the phenomena of hard times? In modern industrial depressions, the various elements of men and business, laws and money, seem to be linked together in an endless chain, so that if an investigator sets in at any given point to seek an explanation, he is almost certain to chase cause and effect round and round the circle of social phenomena, till at length, dizzy and bewildered with tracing the involved effects of financial operations, tariff changes, land speculations, business failures, great transportation systems, and world-disturbing inventions, he arrives at the point from which he started, proving that some particular legislation in his country makes hard times, while another investigator on the other side of the circle, starting from a different point, proves with equal facility that the depression has been produced by exactly opposite causes. In the United States, high-tariff men and low-tariff men thus play hide-and-seek on opposite sides of this curious social circle; while another portion of the ring, half way between them, is given up to the gold advocates and the silver theorists, who dodge in and out between the component links of their endless chain, chasing dollars of different kinds to the four ends of the earth in the attempt to ascertain how and when and why they make the dreaded industrial crises of the nineteenth century.

In modern life there are such multiplicity and diversity of laws, institutions, occupations, and exchanges that this social problem in its present form, like many another in

the more exact science of mathematics, becomes complex, and it is not surprising that so many contradictory solutions are embodied in the theories of social observers. Let us first free the problem of unnecessary factors or elements. There are really only two things involved—men and wealth, or rather, men and the distribution and control of the earth they inhabit. The men in a modern society are involved in a thousand complex vocations, the earth is transformed into a thousand curious forms by human effort, and the results are distributed under a thousand different methods of title and transfer ; but the real condition in the industrial depression is that the abounding wealth of society,—for no careful observer can deny that society during hard times is really wealthy in the aggregate possession of everything that men consume,—having been stored with a few of the people as capitalists and placed absolutely under their control, becomes inaccessible to all others who have or have not aided in producing that wealth. These unfortunates consequently suffer during a period when, in the aggregate, a large surplus of wealth exists, but in which many individuals, on account of either their imprudence or their misfortunes, retain no share in the possession of the accumulated stores and are debarred from production by the monopoly over the earth exercised by their associates, who are thus placed in a position to deny the outcasts not only an opportunity to work for wages or for a mere subsistence, but finally the opportunity to use any available portion of the earth from which to produce by their own labor their own subsistence. The cause of hard times in this one great industrial nation that modern civilization has evolved, implies, in the first place, a period of intense productive activity during which a large body of surplus wealth is accumulated that becomes greater every year. Ultimately the uselessness of a great

surplus in excess of consumption becomes apparent to individual producers, although not at first to the aggregate society, and in consequence the production here and there ceases as the excessive accumulation becomes apparent and the demand fails. From that initial point of industrial stagnation the cessation of industry is rapidly disseminated, the paralysis spreading under the simple law that as individual man can reap no real benefit by converting himself into a mere machine for the production of bread, thus surrounding himself with a million of loaves stacked up mountain high as the result of his tremendous effort, so aggregate man of industrial society cannot really profit by attempting to do identically the same thing ; and the commercial crisis is merely nature's method of notifying silly human creatures that in the aggregate they cannot make human existence something different from what it really is, nor make human life any happier by foolishly trying to store up food and clothing, or their representatives, in the form of wealth, to be hoarded, and protected, and even worshiped for its own sake.

The accumulation of wealth in society is an impossibility beyond very narrow limits, for it is absolutely useless as a surplus beyond a comparatively small amount when apportioned to each individual, and the inevitable failure and breakdown of industrial effort in hard times is an expression of that impossibility. Our industrial managers and our political economists are intelligent in their methods of production. Andrew Carnegie and his class of manufacturers can tell how to transform crude fragments of the earth into something adapted to man's use. Edward Atkinson and his school of economists, who preach eternal human effort, perpetual machine motion, and cheapness above all things, understand one side of social wealth thoroughly. All these devotees at the shrine of wealth-production can accurately and

truthfully tell how the world has improved in its means of making bread and shirts rapidly, but of some worthy and noble means of using the bread and shirts accumulated when the depression stops human effort, they have nothing to say. In their comprehension, the social question is nothing but the best means of making and storing more wealth, and they are oblivious of the real truth underlying all human effort, that if men succeed in heaping food and clothing into a pyramid as wide as earth and as high as heaven, the result will confer upon them nothing but the curse of accumulated inactivity while they are consuming it. The real social question is not, at least in this country, how we shall immediately make more wealth and make it more rapidly, but how we shall use and intelligently and fairly control what we already have, so that the creation of our own brains and fingers shall not become a tyrant to hinder our own efforts and deprive us of liberty. From being our servant, wealth has become our master; and rich and poor alike serve this tyrant so foolishly and so abjectly that when hard times involve his complete ascendancy and their complete subjugation, they bear his kicks and cuffs like whimpering curs beneath the lash, snarling and snapping at one another, but not attacking the real source of their misery.

To trace these principles of society, let us place man back at the beginning of civilization, with simpler forms of life and a wealth accumulation less complex. Imagine the members of a savage tribe existing by the usual productive efforts of such people. Their avocations are hunting, fishing, digging roots, gathering berries, and making such rude huts and implements as belong to their grade of development. Their stores of meat and fruits constitute almost their only wealth, except the few rude products of an imperfect handicraft. During a favorable

season, when all the sources of food supply are plentiful, the savages rapidly accumulate the characteristic wealth of their social existence. Their stores of all kinds of food increase, and a portion is dried for future consumption. There is some preparation for the future, but, although there may be tons of acorns ungathered on the trees, and scores of salmon still unspeared in the streams, sooner or later every savage views his increasing stores with a complacent satisfaction, clearly perceiving, unlike civilized man, that wealth which cannot be consumed is a curse instead of a blessing, and refusing to be guided by the economic doctrines of constant work and perpetual production advocated by some modern economists. He looks doubtfully at the interminable world of work they would lay out before him, and inquires, "*cui bono*?" if that expression happens to be in his language, and thereafter ceases to lay up further supplies of food for worms to eat before he will need to consume it. Having by activity thus acquired a store, the members of the tribe then occupy their time in pursuits more congenial to the mind of a savage than digging roots, and meanwhile consume the accumulated provisions. This period of consumption and inactivity is their industrial depression, but its hardships do not exist, because communal possession and use of wealth usually exist within the tribe, and the sources of food supply in the woods and streams are never inaccessible to any savage who may not have a share in the tribal surplus. Poverty of a certain degree is universal among savages, but starvation surrounded by shiploads of food is not characteristic of their social institutions. Gathering and consuming wealth in this way, "over-production" has no terrors for the savage, and his industrial periods of alternate activity and inactivity succeed one another without social disturbance.

Nevertheless, in this simple succession of production, accumulation, and consumption are to be found the real causes of that business paralysis we call commercial depression. The condition is so simple that were it not so generally misconceived an apology would be due for any explanation. Over-production among savages is a blessing instead of a curse, because they have unrestricted access to the earth as the parent of all wealth, and practically equal rights in the consumption of the wealth already stored. The savage existence is a simple form of society not possible in the present, but valuable in enabling us to understand our own condition. Primitive man labors in order that he may eat; civilized man toils like a work-demon for profit, that he may pile up huge stocks of food and clothing, which he cannot use himself, and which he will permit no other man to eat or wear. Like the fabulous dog in the manger, he cannot consume what he has in his possession, and he will let no other human being touch it. Out of such conditions arise hard times.

Primitive man is happy when, with a full stomach, he knows that a haunch of venison remains in his wigwam to provide for the immediate future. Civilized man is miserable after he has accumulated a store for the future, because he cannot continually add to his pile and view its perpetual growth. He is Mark Twain's blue-jay, poking acorns through the roof of a house to fill its vast interior, striving desperately to accomplish the useless, if not the impossible, and squalling absurd denunciations of the universe because he cannot accomplish his foolish desires. Production for consumption and for increased facilities in further production is no longer his theory of labor, but production for a magpie's habit of accumulation is the basis upon which he operates.

The changes which have brought this absurd develop-

ment of wealth-worship into human nature, affecting the writer of these pages quite as much as other men, are the development of private ownership, the division of the earth under that idea of occupancy, and the evolution of the competitive system between individuals. As the variety and extent of human possessions become greater, on account of man's inventions, the simple forms of tribal and family joint possession give way to more definite and rigid rights. In the growth of society, roads are built, separate trades are evolved, land is more regularly cultivated and is reduced to private ownership. Exchange in products develops into the commercial system, requiring money to facilitate its numerous transactions. Eventually society arrives at the vast agricultural, manufacturing, and commercial processes of the modern world, with the aggregation of capital as a tool for labor, the wage-system, the rapid invention of machinery, the subdivision of labor, the centralization of industry, the destruction of small, independent, productive effort of all kinds, the complex financial system of banking, and the intricate commercial relations established between all the great nations by which they have become, by the development of railroads and steamships, a single, compact body of producers and consumers, with counters set up at the merely artificial boundaries of political divisions, over which the people buy and sell. These transformations from the simple savage existence involve wonderfully complex conditions apparently, but in their real nature they are reducible to a society divided into two great classes as producers—one making food, the other shelter. Each class exchanges products with the other, in order that all may obtain the necessities and conveniences of life. At a certain period in this industrial history, immediately after a disastrous and destructive war, for instance, food and shelter are scarce in the great indus-

trial nation, and to provide new stores productive effort becomes fiercely energetic. The steam-engines puff and scream; the laborers toil like demons; the "captains of industry" rack their brains for new methods of producing cheaply and expeditiously; the heavily-laden cars and steamers bear vast quantities of all that tends to sustain and protect human life, and of much that does not, to a thousand cities of the great industrial nation, with its Englishmen, its Frenchmen, its Germans, and its Yankees, all linked by commercial bonds into a seething, struggling mass of competitive humanity, grinding out and piling up and exchanging all kinds of things to eat and wear. Everybody is apparently making a fortune, big or little, and Mammon dances on his throne.

Sooner or later—the more fiercely the demons toil and the more perfect their machines, the sooner does it occur—a change comes over the industrial process. The warehouses in every city, guarded by the "captains of industry," and prepared for exchange with other captains in hope of that profit which is the end and aim of the business man's life, are full to bursting. Stores of food and shelter mountain high are found wherever the expectation of profit has demanded their aggregation. Every captain with a warehouse has abundance of food and shelter, and unless some human being shall use his accumulated store, the ever present worm will devour it. Then these stupid and insanely greedy human beings,¹ viewing their overflowing warehouses, are finally com-

¹ Paley's famous pigeon comparison is not a bad picture of society. "If you should see a flock of pigeons in a field of corn, and if, instead of each picking where and what it liked, taking just as much as it wanted and no more, you should see ninety-nine of them gathering all they got into a heap, reserving nothing for themselves but the chaff and the refuse, keeping this heap for one, and that the weakest, perhaps the worst pigeon of the flock; sitting round and looking on all the winter, while this one was devouring, throwing about and wasting it; and if a pigeon more hardy or hungry than the rest, touched a grain of the hoard, all the

pelled to pause and inquire, as their savage ancestors did under similar circumstances, "*cui bono?*" but they usually express approximately the same idea by saying, "What the deuce are we to do with all these things?"

In economical articles, valuable in many respects for careful investigations, Edward Atkinson exposes some fallacies regarding wealth and poverty, and is himself astonished when he finds that "the people of the richest state are always within one year of starvation, within two years of being naked, and within a very few years of being houseless and homeless, unless they work for a living." His estimates deduced from statistics are undoubtedly approximately correct, and there is not the slightest reason for surprise at the result ; for any great surplus of consumable products used for food and clothing, is now, and will ever be, not only practically useless, but economically impossible. It should not require long rows of figures nor complicated calculations to prove that aggregate civilized humanity does not possess more than a year's food or two years' clothing at any time. The real matter for astonishment is why aggregate humanity desires any greater surplus than a year's supply, and what men imagine that they could really do with a continually accumulating product of things to eat and wear. The political economy of the productionists, tending solely in one direction, and with authors blind to all that cannot there be seen, urges that no improvement in social conditions can occur except by cheaper production and more

others instantly flying upon it and tearing it to pieces ; if you should see this you would see nothing more than what is every day practised and established among men." The philosophy of this volume would give to every pigeon (for the present era) whatever he chose to hoard, no matter whether he could eat it or not, but would prevent its transmission in a body to some pouter whose principal merit is in his distinguished appearance, and who ought to be made to scratch for his corn like other birds.

of it. They fail to see that if a man lives by bread alone and has accumulated a thousand loaves, the only benefit to him thus acquired is a change of occupation ; for instead of making more loaves, he may do something else while his loaves remain unconsumed. Whether he is happier in doing something else depends upon the nature of his new occupation, and upon whether he is compelled to enter it or enters it voluntarily. Similarly, when millions of men are aggregated in society the only real gain to humanity by increased production, however it may be cheapened and expedited, is change of occupation. When men have accumulated a thousand loaves apiece, they can do something else besides making bread, and practically, in the industrial depression, they are compelled to do something else, whether they wish to or not ; but human happiness is not increased by the change. The loaves of modern society are stored in bulk under the charge of keepers, who are in a position not only to refuse assistance in making more bread for those who have none, but who can also deny the hungry the apparently just privilege of an opportunity to make their own bread. In hard times, society has accumulated many loaves and is rewarded by much leisure, involving a change of occupation. That leisure, regulated by intelligent justice, while we are consuming our surplus products might be a blessing, but our social organization and efforts make of it a curse. We are happy while working and miserable when resting ; for our change of occupation among the poor compels men to tramp over muddy and dusty roads and to carry blankets, while they beg first for work and then, in greater degradation, for food. The same leisure among the rich develops a luxurious idleness and extravagance and breeds the fashionable vices that have afflicted aristocracy in all ages and in all parts of the world, bringing in their train the misery that eventually succeeds

all forms of vice. Rich and poor are alike debased by these extremes of unregulated action and inaction.

Let men work long enough and hard enough, mentally and physically, on earth as we now find it, and so surely as night follows day will they accumulate an abundance of wealth that will decay before they can consume it, for do not all things that men eat and wear, or use in any way, rot and perish by advancing age? When man brings nothing into the world and takes nothing away, how is he individually or collectively to become the gainer by grinding out his own life and health, or even the lives and health of other men in the mad effort to accumulate wealth for its own sake? When he thus becomes a slave to his own greed and folly as an aggregated body of human beings by attempting these things, Nature steps in to correct his mistakes.

A change comes over the industrial world we have described. The "captains of industry" in all quarters of the earth, having bursting warehouses and no sight of scarcity or probability of demand for products which they possess only for exchange and profit, realize at last that food must be eaten and clothes worn to be of any real value to the human race, so they cease producing and exchanging what may perish or decay in their possession. The game, the fish, and the roots of a savage existence have in these modern forms of wealth been accumulated, and no man can obtain real benefits till they are consumed, so the great mills are closed, the engines cease puffing, the demons of modern industry are driven away from their machines, and Mammon weeps because he cannot subvert the laws of Nature and convert men into mere machines of perpetual motion to manufacture useless wealth for mere profit and possession, and not for rational use and consumption. During the period of general industrial activity the farmer has also been stimu-

lated by Mammon into a vast production of the materials upon which all other production depends, and finds the value of his land enhanced by the apparent facility with which he disposes of products that all seem to want. Once having produced a surplus wealth for society, however, he finds, as a natural consequence, that while that surplus lasts, there is little demand and only low prices for either his products or his land till the surplus is consumed. Meanwhile, those laborers expelled from all kinds of productive effort, who have retained little or no share in the possession of the really great aggregate social wealth, soon consume their small stores and find no captains of industry who need their services for wages. Thousands of men have cheap food and clothing to sell, but the discarded laborer has nothing but the use of his two hands to offer in return, and no devotee of Mammon can make a profit on them in production. Land is cheap, but the outcasts have naught to pay, and they find no spot whereon life can be sustained that is not already placed under some man's dominion and held useless even if a thousand other men be starving on its borders.

Little or no profit being obtainable from exchanges, all means of transportation become comparatively idle. Wagons, instead of carrying produce, are in their sheds, and locomotives are in the round-house. Similarly, money stays at home. The nimble dollar of industrial activity appears and reappears on the stage of life like the members of a mock procession at the theater, where the actors in the front chase one another behind the scenes to add to the apparent numbers of the passing throng by again appearing at the rear. In the industrial depression, money appears to be scarce because, like the wagons and locomotives, it is stored safely when there is no demand for it as a tool or machine or vehicle in making exchanges; and, as a representative of value, it

is again like the wagons in not being obtainable by people who have nothing to give for it but labor. The same wagons used in a period of active industry are in the country during a depression, but they are in their sheds out of sight. The same money of business activity is also in existence, but it, too, is out of sight, hoarded in banks and private safes and purses by people who see no opportunity of using it safely for profit till the economic condition changes. This period of apparent scarcity is the time when the financial reformer wants to create more money ; for Mammon is crazy, the world is out of joint, and in that condition the project of making something out of nothing, although an inconceivable attribute of Deity, does not really seem an impossibility for human beings to accomplish. Thousands, if not millions, of people in this country apparently regard the paralysis of the industrial depression as a thing to be prevented by mere changes in the circulating medium, and they seem persistently oblivious of the fact that if there were no money in the world, or if there were ten million times as much as now exists, the stagnation and suffering from an over-production of consumable articles would produce the phenomena of hard times under competitive civilization as surely as night follows day.

The industrial depression is absolutely unavoidable unless we produce less to avoid a surplus. It is a part of competition by which the prodigious effort of all stores an abundant over-supply under the power of a few. The regulation of competitive production is impossible, and the only feasible remedies for the evils of hard times are in the first place to understand their cause ; to know that they are inevitable under our social system ; to avoid, so far as possible, the calamity of individually possessing nothing when the crisis occurs ; and to alleviate the distress of those who suffer on account of a condition that

is due to a social system for which all are equally responsible. It is folly to assume that those who have are in no way responsible for the ills that afflict those who have not. It is also *dangerous* folly, for if the discarded demons of toil become destructive demons, brandishing the torch, who can really blame them, remembering that they are human beings who becoming hungry will not starve in the midst of plenty? There is the man, here is the earth, and one is denied the simple right of an unobstructed opportunity to produce his existence from the other, yet silly humanity feeds and clothes him by grudging charity rather than accord him justice and the mere right to feed himself by his own efforts.

Human folly is well illustrated by a story that recently appeared in a valuable little journal¹ published in southern California. It is partially devoted to bee-keeping, and tells of Hans Peterson, who maintained an apiary in that sunny land of flowers. Hans was a Scandinavian who had received little opportunity in his frozen northern home to investigate the mysteries of the social and industrial institutions of bees. He was patient and studious, however, and finally learned to manage his little winged workers without suffering greatly by rashly approaching the wrong ends of them.

“When the season for honey-making commenced, Hans was happy. He had twenty-five hives of bees well located, and they were busily at work. An admirer of productive effort, he used to lie in the sun and gaze at his bees flying hither and thither in the balmy air of the early California summer, thinking of the stores and stores of golden honey they were accumulating under the improved methods of modern bee-industry assisted by comb foundation, subdivision of swarms, and other ingenious contrivances for increasing production. As the bees wandered from blossom to blossom gathering their

¹ The Ventura *Altrurian*, April 1, 1895.

little cargoes of sweets, Hans watched them with delighted attention, and when the busy insects approached the hive with baskets full of pollen, he blessed their tireless industry and felt that every day he and they were becoming wealthier.

"The early summer months sped along in this happy harvesting of earthly products, the bees working harder and harder every day, and Hans watching them more and more intently. Finally, however, as midsummer approached, he noticed a gradual change in their methods of transacting business. His bees were apparently becoming indolent. Instead of wheeling off through the cool morning air in search of more bee-worlds to conquer, they hung about the entrances to their little industrial homes, or flew lazily away from them a short distance, returning almost immediately with empty baskets and a listless air of *ennui* that was intensely discouraging to the capitalistic hopes of their young Norwegian owner. Worse even than this indifference to the nobility of industrial effort, a portion of the bees displayed an ill-temper and belligerency that were positively alarming. Ordinarily, while they were busily carrying honey, Hans could approach the hive and examine the sweets they were storing there for him and them without any remonstrance from the bees. Now, however, while some of them seemed to be idling their lives away in what a famous American has termed 'innocuous desuetude,' a portion of the little creatures appeared to become desperately wicked in their intentions. If Hans approached the hives, where they were pacing angrily back and forth, not apparently gathering an ounce of honey, they would dive at him fiercely with an ominously shrill buzz that betokened all kinds of anarchistic intentions and caused the proprietor to beat a hasty retreat from their unreasonably vicious attacks. When these apparently discontented insects could find nothing more prominent on which to vent their spleen, the unreasonable creatures would seize their associates—either another dissatisfied worker, or sometimes one of their lazy companions—and then for a little while there would be a veritable insurrection in front of the hives, the angry bees grappling viciously in the air and rolling over and over in the dust

they had kicked up around their formerly peaceful homes.

“‘Vot ails der bees?’ thought Hans, and receiving no answer from his inner consciousness after diligently scratching his flaxen poll, he sought information from a number of publications on bee economy that his thoughtful Teutonic mind had provided for an emergency. After considerable research, Hans concluded that the general government of his bee-colony was not properly administered, so he purchased a number of new queens of different kinds and introduced them one by one into his unhappy little communities. On the introduction of each queen, there was a tremendous disturbance in the society, and a great sizzling and buzzing, accompanied by a sharp contest for sovereignty, after which there was a dead queen but no apparent improvement in social conditions.

“This experiment having failed, Hans, suspecting that his bees might have exhausted all the raw industrial material available and that new supplies would stimulate them to further exertions, moved his hives into a new location. Arising at midnight when the aristocrats and anarchists of his social groups were all slumbering, he fastened them securely within their little doors and moved the hives into a new location among the choicest honey-plants, where it would seem that no bee of the slightest pretensions to industrial morality could continue to waste his time in unproductive idleness. For a day or two the bees were active in their new home and went about deliberately poking their noses into the new flowers blossoming as the summer advanced, but they brought out no honey and were evidently actuated by mere curiosity and not by any productive desires.

“When they first sallied forth from the hive, Hans’ spirits rose with the hope that he had solved the social problem, but after a few days his wealth-producers all went back to their old habits of rubbing noses and fighting on their front doorsteps, or impudently looking sidewise at the sun without offering to carry an ounce of honey.

“Hans then began to think that his neighbors’ bees must certainly terrorize or at least discourage his own insects in the fields where they all sought wealth by competitive effort between families, so he made another midnight

visit to his hives, calked them securely, and, deciding to give the bees all the industrial protection that they could desire, he conveyed them into an adjacent valley surrounded by high cliffs over which no bee from the neighboring swarms had strength enough to convey a load of honey. There was no improvement, however, in the vile manners of his swarms, and Hans was almost in despair when the idea of a defective circulating medium occurred to his mind, and he concluded that something must be wrong with his bees' honey-bags and pollen-baskets, so that, although the insects were mentally quite willing to continue gathering honey, they were unable to do so because there was a defect in either the quantity or quality of their appliances for making the transfer from the flowers to the hives. Accordingly he bought twenty-five new swarms warranted to possess honey-bags in first-class repair, and smoked all the lazy and quarrelsome culprits out of their once comfortable homes, calling them vagabonds and nihilists, and saying something in choice reversed Swede-English about people not working who didn't eat. The bee-rancher was almost heartbroken, however, to see that new bees with different honey-bags did not work any better than his old ones, and, as a final resort, he sought the valuable advice of experience from an older student of bee-sociology. The first inquiry made by the older bee keeper after hearing his complaint was, 'Did you take the honey out?' Hans had not; he wanted to see a very large accumulation before he disturbed it. 'I guess your bees are eating it, then,' said his mentor, 'and they'll not work any more till you give them room.'"

Hans was a marvelously stupid fellow, say you, my reader? Well, was he really more stupid than you and I and all other people (including Messrs. Wells and Atkinson and Mallock), who blindly go on in collective industrial effort to store up wealth in our social hive, not remembering that all wealth is intended ultimately for consumption, and that whenever it accumulates in great bodies, the producers must eat it ere they produce more? Think of these things carefully and then say whether

those writers who preach an eternity of production, neglecting meanwhile all that relates to distribution and consumption, are really wiser than the simple-minded Norwegian who attempted to regulate the industry of his bees by the same social methods we are using. Believe me, John Ruskin is right when he says :

“THERE IS NO WEALTH BUT LIFE. Life, including all its powers of love, of joy, and of admiration. That country is the richest which nourishes the greatest number of noble and happy human beings ; that man is richest who, having perfected the functions of his own life to the utmost, has also the widest helpful influence, both personal and by means of his possessions, over the lives of others.”

CHAPTER XV.

THE LAND OF NOAHME.

“The earth is the Lord’s and the fulness thereof ; the world, and they that dwell therein. . . . Woe unto them that join house to house, that lay field to field, till there be no place, that they may be placed alone in the midst of the earth. . . . Break off thy sins by righteousness and thine iniquities by showing mercy to the poor.”—Bible.

RECENT historical researches by some of the modern Hebrews, who are inclined to accept a few of the latter-day teachings of the race as embodied in the writings of Ferdinand Lassalle and Karl Marx, have brought to light certain ancient manuscripts supposed to be fragments of the works of Josephus, and to have been omitted from all the editions of that writer’s history which have hitherto been published. Like all other ancient history, this newly discovered record is somewhat vague and inconsistent in its details, and perhaps it may not be very reliable in all its particulars, but it at least furnishes some

interesting data concerning the progress of social institutions among the Jews, which are not otherwise obtainable. Translated into a peculiar dialect of everyday English as it is, but ought not to be spoken, the story is as follows :

“ When Noah with his three sons, Shem, Ham, and Japheth, descended from the ark to take a look at the surrounding country and the subsiding waters, they searched in vain for a dry rock to sit down upon. On thoroughly comprehending the situation, however, the old gentleman was filled with a consuming sense of his own importance, for he realized that in being the head of his own family and in thus attending the funeral of all the other inhabitants of the earth, who had just been drowned like rats in their holes, he had also become the monarch of a great deal more than he surveyed even from his lofty position on Mount Ararat, and therefore, by priority of occupation and undisturbed possession, he was sole proprietor of the entire earth—at least until the boys became of the proper age to imagine that they ought to control the universe.

“ Like thousands of other men among his descendants, Noah was exceedingly proud of being the owner of a vast estate, and he was immediately filled with a very natural desire to perpetuate the lands in his family in a way that would hand his name down to posterity. Acting on this impulse, he gave to his newly acquired estate the name of Noahme, and decided that he would entail the property on the direct male descendants of his eldest son, Shem, who had assiduously courted his father's favor by taking personal charge of the snakes, skunks, and other disagreeable passengers among their cargo of live-stock.

However, at that time Noah did not know that procrastination is the thief of time, this great truth being discovered and announced several years later. He found that all the time he had was quite busily occupied in seeing that his consignment of animals was carefully located in situations favorable to the necessities of their existence, and at the same time in giving a patriarchal supervision to the increasing demands of his family. Engrossed with these parental duties, he postponed the formal entailing of his estate, being considerably worried by the rapid

increase and phenomenal voracity of such vermin as fleas and mosquitoes, which had multiplied at a tremendous rate after being set at liberty. While occupied with these vexations, and wondering whether he had not made a serious mistake in permitting them to take passage on his boat, and whether life was really worth living in their intimate association, Noah fell sick and died suddenly without making any will. As the lawyers say, he died intestate.

"After the funeral, at which there was a very large attendance, a meeting of the heirs was held to provide for a distribution of the property. All had, at first, great expectations. Shem, however, who was naturally very well adapted to the practice of law, and who entertained a very sincere respect for the authority of established precedents, claimed control of the entire property by operation of the well-defined and established rule of primogeniture, he being the eldest son. He showed conclusively by certain records preserved in the ark, that such had been the custom of their forefathers, and argued that custom necessarily made not only law but justice. The younger sons, being comparatively ignorant of these well understood social theories, owing to their youth and inexperience, at first debated these points considerably and protested mildly against Shem's claims, inquiring why they had no right to control any of the property, but their elder brother was firm in his position, though very kind. He cited the traditions of life before the flood, showing the young men that the succession of the eldest son had long existed in the very best of families, from time immemorial, and that nobody but vile, rebellious anarchists from the lowest social levels, filled with a demoniac hatred of their fellow-creatures, had ever questioned the correctness of the principle. The young fellows did not know exactly what an anarchist was, and consequently had to take Shem's word for it, but having, like most other people, a very sincere regard for social customs and the sacred institutions of the past, they did not relish the idea of being considered cranky individuals who entertained peculiar notions, so they made no further objection to Shem's desires, and he very kindly, although reserving full power of control, offered to permit them to have free

access to the estate as tenants so long as he lived, and to continue undisturbed in their occupations of gathering fruits and nuts, or chasing certain kinds of animals suitable to their sustenance, which had by this time increased in numbers to an astonishing degree. He also notified them that the ark was entirely at their disposal in case they desired to enjoy another voyage.

"The young men were quite well satisfied with this arrangement, for they had free use of the place and did not consider that the mere form of a title made any real difference to them. Ham's wife, however, was a vixen, and on hearing her husband assent to what she considered an unfair distribution, she turned so black in the face that some of her descendants are similarly affected to this day.

"After this settlement of family property, life went on quite smoothly among the descendants of Noah for many years. The domesticated animals thrived and became more and more numerous, the fruits remained plentiful, and, as there was abundant room for all the people without crowding, there were few disputes. As Shem could not use all the land he claimed, he was more tolerant of the needs of his brothers than those who own large estates usually are. Ham and Japheth did not distress their minds by any great amount of thinking about the merits or justice of the claims established by their elder brother. They had the substance of their desires and did not think it was wise to worry about titles. Although the two younger brothers were satisfied, Ham's wife unfortunately persisted in stirring up theoretical discussions occasionally concerning the actual rights that Shem had to the exclusive ownership of the territory he controlled, and thus by degrees she gained the opprobrious name of anarchist, because, foolish woman that she was, she wanted continually to know where *her* rights came in. These early sociological disputes never extended farther than a mere discussion, for about the time that Mrs. Ham became well advanced in her argument upon the right of property, she was invariably compelled to neglect public duty in order to attend to more pressing maternal obligations, for by this time there was a very numerous colony of little Hams in existence, as well as other piggish speci-

mens of the race, who were, even at this early date, beginning to creep into the world, with apparently no share in it. On this account, her arguments on the social problem were rarely completed, and were not at all convincing, especially as she was a woman rather hasty in her conclusions and known to be somewhat violent in temper.

“Finally, when her incessant repetition of her peculiar views became rather monotonous and annoying, Shem declared that such ideas were destructive of law and order, and contrary to the peace and welfare of society, and that if Mrs. Ham wished to continue to occupy his possessions, she must observe a proper respect for established institutions, and shut up; otherwise she might, if she pleased, vacate his property. There being no railroad to the moon at that time, Mrs. Ham, who was wiser than the foolish anarchists of a later day, made a remarkably successful effort, for a woman, in holding her tongue.

“This little embryo anarchy having been suppressed by the strong arm of government, in the proper protection of the true interests of society, there were no other social troubles during the existence of Shem. Mrs. Ham remained discontented, but as the government denounced her, and her associates laughed at her when she discussed social questions from her standpoint, she ceased preaching the gospel of discontent, and the intricate problem of the proper distribution of earthly opportunities received no further attention. In later life, Mrs. Ham subsided entirely into that sphere of domestic duties which all correct moral teaching has shown to be the right place for woman.

“When Shem died he left two sons—Elam and Lud, the other boys having unfortunately died before their paternal ancestor was ready to succumb to the inevitable. During the early existence of these sons, their father, like Noah, had contemplated the entailing of his estate on Elam as the eldest, and after him on the direct line of eldest male descendants, but as the boys grew towards maturity at the age of about two hundred years, he noted that Elam was shrewd, selfish, and grasping, his financial policy apparently being to get all he could and keep all he got. Lud, on the other hand, was a sociable, liberal fellow, who rapidly made friends among all the young cousins scattered about his father's domains, for by this time there

were numerous little Hams and Japheths in the world, public and private sentiment in those days being very strongly in favor of populating the earth and quite different in that respect from later social developments. On account of the greedy nature of Elam, Shem was afraid to permit the estate to descend unbroken lest Lud should not receive kind treatment at the hands of his selfish brother if the latter became sole heir. Accordingly, the father abandoned his original intention and made a will dividing the estate equally into two portions, leaving one-half of the earth to each of his two sons. By the provisions of this last will and testament, which was prepared and executed with all the solemnity that attaches to the sacred nature of such documents, the entire earth was placed at the disposal of Elam and Lud, while the numerous disinherited sons of Ham and Japheth skipped around wherever they were permitted to exist by the more fortunate owners, entertaining a few vague ideas that something was wrong in the world, but entirely unable to show any illegality in the proceedings. The reverential Japheths were usually content with saying that the condition did not seem exactly right, but that as God perhaps intended that it should be that way, they could not question His will. The fiery blood of Mrs. Ham seemed to descend to her children, and as they were not in high favor with the two owners on account of their unpleasant abruptness of speech and foolish habit of saying what they thought, the young Hams became somewhat embittered and rebellious. They had so much to say about what they called their natural rights, in spite of the abundant proof on every hand that no such things ever existed, and about the injustice of social conditions, that Elam and Lud both decided that the good of society and the protection of the people demanded that proper police and military regulations should be adopted. Accordingly, they established especially friendly relations with some of their cousins who were not imbued with the vile anarchist spirit, destructive of society, peace, property, and good government, and after showing these young men some particular favors, the two proprietors and leaders of the social system of Noahme, assured these well-disposed cousins that if they would contrive to have a few reliable

clubs ready with which to suppress a possible insurrection and soundly punish the ill-tempered descendants of Mrs. Ham whenever the latter failed to show a proper deference to established authority, they would, as peace-officers and worthy, law-abiding citizens not be losers by the transaction.

“Thus social life in the land of Noahme progressed for many years after Shem’s death. The socialists and communists and anarchists and cranks—for these were the names applied to the bitterly discontented people, comprising most of Mrs. Ham’s descendants and a few of the more belligerent Japheths—had much to say in private about tyranny, and equal rights, and freedom, and a lot of other things that they did not understand and could not be made to understand. Public discussion was not fashionable, however, for the Hams and Japheths realized that they were in some danger of having what little brains they possessed knocked entirely out by the newly-organized corps of anarchy-whackers, who were now valiantly attempting to maintain law and order. Many of their other cousins had established relations more or less friendly with Elam and Lud, and their legal condition, whether equitable or inequitable, being satisfactory to themselves, they were not inclined to sympathize with the disaffected citizens of Noahme. These more contented and prosperous Hamş and Japheths informed their dissatisfied relatives that if they would accept social institutions as they found them, quit fighting what they could not overcome, be energetic according to their stations in life, and, especially, be respectful and subservient to those above them in social rank, they would thus reap all the reward on earth to which they were really entitled, and a good deal more than they would secure by perpetually struggling against the laws of Nature, which never had produced equality and which never would. Some of the reverential Japheths also kindly admonished them to be patient; for, even if things did appear somewhat out of joint in this world, they would be completely adjusted in the next.

“This well-meant advice did not satisfy the more rebellious spirits of Cush and Phat, who resembled their fault-finding ancestor very much, and these desperate anarchists, mounting a convenient stump, declared vocifer-

ously that Elam and Lud were tyrants for controlling so much property, and that if their brains were hammered out with a rock, the world would be left in a better condition. The entire community was shocked by these horrible assertions, for nearly every member of it knew that if he had been in the place of Elam and Lud, he would have done exactly the same things ; so when the clubs of the newly-organized police force descended on the foolish heads of Cush and Phat, and hammered all the anarchism out of them, there was a general approval in Noahme, and little sympathy was wasted on the offenders. The governmental authorities decided that such vermin should be promptly exterminated, and all the stumps in the community were placed under a strict surveillance.

"It must not be supposed that these anarchic disturbances were of daily occurrence in Noahme. For many years after the suppression of this incipient revolt, the relations between Shem's sons and their cousins were quite amicable, although there was considerable envy in a mild, harmless form among the female descendants of Ham and Japheth, when they looked upon the comfortable domiciles provided for Mrs. Elam and Mrs. Lud, and compared those elegant accommodations with their own modest homes. It was also somewhat irritating at times for Mrs. Ham's daughters to hear Mrs. Lud, who was quite proud of her family history, talk about how "our ancestors traced their descent from the ark," and to hear her warn the young Luds not to mingle too freely with common folk. During these years, the lot of those who possessed no estates was not particularly hard or even disagreeable. They were permitted to occupy the lands of the two brothers and to pasture domestic animals thereon by paying a very reasonable rent for the privilege. Each Ham or Japheth was expected to return to the owners a share of whatever game, fish, or fruit was obtained from the property. He was allowed most of the milk from the herds and an animal now and then for meat, but no actual ownership of the animals was permitted to the tenants by the owners, for Elam always insisted that such a privilege would be granting entirely too much to people who owned no land. He also showed very plainly that the Hams and Japheths must necessarily accede to any terms

offered to them, if they wanted to raise cattle, for they had no other pasturage. The surplus wealth resulting to Elam and Lud from these rents was used by the two brothers in their own family consumption, in rewarding those cousins who assisted them in keeping their houses and grounds in order, and in maintaining the efficiency of the force used to preserve social order.

The liberality that was developed so early in the disposition of Lud continued with him in later life. He was exceedingly kind to his cousin-tenants, and seldom exacted more rent than the comfort of his family required for their adequate support and the necessities of efficient police supervision demanded. It is true that Mrs. Lud was sometimes extravagant in her ideas concerning the proper attributes of a lady in her station, and Mr. Lud was, therefore, compelled occasionally to raise the rent on that account; but he always did it so pleasantly and with so evident an interest in the welfare of his tenants, that many of the Japheths, who were only slightly discontented, were heard to remark that if Elam were like Lud, the social structure of Noahme would be about right as it was. This remark was repeated to Phat, who was still sore-headed from the beating he had received while making his stump speech. He snorted contemptuously and grinned with scorn, but said nothing, for the anarchists were wiser than they had been before or have been since. The kind-hearted young Japheth who spoke to Phat looked puzzled when he saw his friend's scornful expression, and wondered what ailed the man that he could not agree with such obviously correct sentiments.

"In times of scarcity Lud was often known to remit temporarily the collection of rent, and during this unfavorable period he magnanimously consented to live from the stores his cousins had already accumulated for him, without pressing them when paying rent would be a real hardship. On account of these many virtues he was regarded by his contemporaries as the noblest of human beings, and was generally esteemed in Noahme as a philanthropist. Even the most destructive of the anarchists did not seriously threaten to crack his skull with their rocks, though some of them made wild speeches at their secret meetings in the caves to the effect

that Lud represented a social evil, and that they declared death to all tyranny.

"But the good always die young, and Lud passed away before his brother Elam, leaving neither wife nor children, for typhoid fever broke out in the Lud household, owing to defective sanitation incidental to the times. Before his death he performed an act of sublime benevolence by giving his entire herd of cattle to those cousins who had raised them on his land. When the gift was made known, Lud was hailed as the benefactor of his race by all except Elam, who merely smiled rather cynically. The will of Lud decreed that all the surplus wealth collected from his tenants and accumulated in his hands should be used in securing the services of such cousins as were willing to labor in exchange for it, to build a high stone monument to mark his resting-place. The landed property was all bequeathed to his brother Elam, as Lud felt that it was his duty to retain it in the family. Elam immediately took possession of his new property, and being an excellent financier, one of those characters to whom society is greatly indebted for the accumulation of capital and consequent progress, he immediately proceeded to raise the rents up to what he thought the traffic would bear.

"The work of constructing Lud's monument was commenced promptly and carried on vigorously by his enthusiastic and devoted cousins, who were so impressed by the final exhibition of his generosity that they were quite willing to construct the tomb themselves for nothing. They commenced the monument on an extensive scale, in order to bestow all possible honor upon their deceased patron, and by the time the structure was half completed, the stores set aside by Lud for building it were exhausted. Notwithstanding this lamentable condition, however, the laborers still bravely persevered, and ultimately completed the work at their own expense, though it was a tedious process, owing to the fact that their daily subsistence with that of their families was necessarily to be maintained in addition to the work done on the monument.

"When the great cap-stone of the monument was carved and ready to be hoisted into its place, the workmen pre-

pared to celebrate the day in honor of Lud's memory. Their religious leader had prepared a beautiful discourse on the virtues of charity and benevolence and the beauties of heavenly compensation for earthly wrongs; their orator was ready with finely-rounded sentences concerning Lud's memory as the Father of his People; and the poet had prepared twenty-one eulogistic stanzas bearing the same burden of praise. In the midst of these preparations, a messenger, one of the clubmen of Elam's brigade, arrived with a communication from the owner of the estate, informing his tenants that if they desired to complete the monument, they must first pay him for the stone they had used from his premises, by returning a fair remuneration in labor.

The Hams and Japheths were thunderstruck at first, and were disposed to dispute the validity of this claim. They had become so accustomed to take and use whatever they desired from the land, that, although they dimly understood that they were not actually owners, they nevertheless supposed that they were really entitled to such privileges as had been merely accorded to them by sufferance. There was a hasty conference with Elam, and the laborers' orator made a fine argument to the effect that there should be no payment because the stone came from a quarry on his brother's land, and they were merely erecting his brother's monument; but Elam soon convinced them that they knew nothing about law and government, and that he had absolutely nothing to do with monuments for Lud. As he well expressed the question, it was purely a matter of business. The position he occupied was that he owned the land, and that if they expected to use it for any purpose whatever, they must pay a reasonable compensation. There was some talk of a contest, but the monument had to be finished, the oration delivered, and the poem read. It was considered that the additional expense was a small matter, so the workmen consented to Elam's demands and went on with their ceremonies, which were long held in remembrance in the land of Noahme.

"As soon as the monument business was transacted on correct principles and everything successfully adjusted, Elam notified his cousins that if they expected to keep

the cattle they had received from Lud on his land, they would have to divide the profits of the business with him. A contract was arranged on this basis after some complaint from the cattle-owners ; but, notwithstanding their dissatisfaction, these cousin-tenants could not but acknowledge that Elam was entitled to rent for the use of his land, and that as they possessed none, it was necessary to lease land for the support of their cattle. They were so inflated with the idea of having some cattle of their own, that they did not seriously or persistently object to paying rent for pasturage, although it absorbed a large part of the increase of their herds, which went mainly to sustain the increasing numbers of anarchist fighters that were deemed necessary to preserve social order in Noahme.

“Elam also introduced a new adjustment of the rates on gathering cocoanuts soon after his exclusive ownership began. The tenants had formerly paid the joint heirs four cocoanuts out of every ten they gathered, and this rate having developed into a custom, the people were satisfied. Elam wished to enlarge his corps of social protectors, however, so he notified the tenants that they must pay over six cocoanuts out of ten. There was much complaint among the young and hot-headed cocoanut laborers, and some of the Hams denounced Elam as a monopolist, saying that those who gathered cocoanuts were really entitled to all they produced, and that not one solitary cocoanut out of a million should justly be paid over to anybody. Such speeches as these were always made when the peace officers of the community were enjoying a vacation and giving their clubs a rest during a relaxation from the duties of their responsible positions. The wiser heads among the cocoanut men did not entirely approve these rash utterances. They pointed out the fact that Elam unquestionably owned the rest of the earth exactly as they owned their cattle, and that he had the same right to the one that they had to the other. These speakers admitted that there was something puzzling about the matter, and at first it really looked as if the men who gathered the cocoanuts were entitled to them, but it was not logical to deny Elam the privilege of rents if he were entitled to the earth and had a perfect

record of its legal transmission from his ancestors. The hot-heads then proposed that they should quit working for Elam, let him gather his own cocoanuts, and that the laborers should proceed to achieve an independent existence for themselves. This proposition met with great applause till a gray-beard arose and mildly stated that an independent existence would be exceedingly desirable, but that it would be very difficult to accomplish under the social system that prevailed in Noahme, as there was no means of communication with the moon and no public land on the face of the earth. He advised the rash youths who proposed to carve out a career for themselves, to consider their opportunities a little more closely before they acted decisively and burned their bridges behind them.

"After considerable further discussion, a wise regard for existing conditions and vested rights prevailed over the tendency toward radical thought, and the cousins went back to gathering cocoanuts at the reduced wages of four cocoanuts out of ten. Their compensation was not very satisfactory, and considerable ill-feeling developed, but they were able to secure increased quantities of nuts by contriving better means of climbing the trees. They were, on this account, still quite prosperous, and Elam secured a new lot of heavier clubs for his anarchist fighters, increased their numbers, and employed a portion of the men in beautifying the grounds about his residence.

"The conditions of labor and capital and their future prospects were the subjects of much discussion among the inhabitants of Noahme after this reduction in wages, and the proper course of procedure in case of another reduction involved a great deal of controversy. An irascible, domineering young upstart (several generations removed from Mrs. Ham), with little reverence for established authority, suggested that the cocoanut hands should all unite in a secret brotherhood with signs and grips, passwords, constitutions, and by-laws, so that instead of representing diverse sentiments, the association would thereafter act as one man. If another reduction in cocoanut percentage were demanded, he proposed that the association should refuse to gather any

nuts at the reduced rates and let Elam and his anarchy-whackers climb the trees themselves or starve at their own pleasure. There was some dissension over the proposed union, and a number of fault-finders suggested that if young Mr. Ham were in Elam's place he would require even more cocoanut-rent than the latter did. Notwithstanding this natural habit of finding fault with the wrong side of human nature, the union was finally perfected by the laborers, and all who joined it agreed that on sufficient provocation they would refuse to gather any more cocoanuts. The organizer of the union wanted a few cocoanuts now and then for his trouble in pulling it together, and this feature of the organization was not very popular. Some of the men who only gathered cocoanuts occasionally refused to join the association on account of the cocoanuts they had to put up from their share in order to keep up the organization, and these low-spirited fellows were regarded with much contempt by the members of the cocoanut union.

"Finally there occurred a hard season in Noahme. Cocoanuts were scarce. Paying over six from ten for rent meant hard work and not much in it, so the laborers said, and they demanded a better rate. Elam listened to their protests, but he declared that his own revenues were greatly depleted by hard times, and that he was not receiving enough from his estate to maintain his club brigade or to keep his grounds in order, so he declined to make better terms. He addressed a meeting of the laborers at some length and showed very conclusively that the interests of capital and labor are identical; that when one suffers, both suffer; and that the greatest blessing that laborers can have is a great number of cocoanut-trees in the possession of somebody else, with a large crop of nuts ready to be gathered, and to thus afford them employment. He proved clearly that he was not to blame for the fact that there were few cocoanuts to be gathered during this particular season. He regretted sincerely that labor was not able to earn an adequate reward, but capital itself was suffering, and his own profits were greatly reduced by the universal depression in the cocoanut business.

"Strange to say these clear and convincing arguments

produced no effect on the discontented climbers, and they immediately struck. They slid down from the cocoanut trees and held an indignation meeting. The older men were in favor of disturbing nothing that was owned by Elam, but the young radicals declared that he was a greedy monopolist and that every cocoanut tree on his plantation ought to be cut down. A compromise resulted between these extreme views, and the strikers smeared the trunk of every palm that bore nuts at the top with a thick coat of pitch, so that climbing was temporarily impossible, and stuck on it a notice that any disreputable scab who attempted to climb the trees under any pretext would be sunk, like McGinty, to the bottom of the sea. Elam marched his anarchy brigade upon the cocoanut grounds, but the laborers were committing no overt acts, and their greatest crime was apparently refusing to do anything. They had undoubtedly exceeded their legal rights in smearing pitch on his trees, and the captains of his club-soldiers wanted to punish them severely for this infraction of law and order, but Elam was long-headed, like some of his capitalistic descendants, and mentally sizing up the numbers of those who had organized under the grip-and-password system of human effort, he decided that in the excited condition of public sentiment, violent measures were reactionary. Therefore his soldiers camped and the laborers camped under the cocoanut trees to watch one another starve to death. While this evolutionary process embodying the survival of the fittest and not of the fightist was going on, the riff-raff and scum of the earth, comprising all the degenerate descendants of Noah, who perhaps inherited an undue proportion of the evil instincts which among their ancestors had led to the flood, seized the opportunity afforded by the preoccupied mental condition of the more respectable inhabitants to do a little business on their own account and after their own tastes.

“They broke into Elam’s stores of cocoanuts and destroyed them ; they drove all the cattle they could find belonging to either the strikers or their employer over a high cliff into the sea ; they knocked the top off of Lud’s monument ; and, finally, they held a great meeting and,

marching under red and black flags, they took to the woods, leaving the interests of capital and labor in Noahme to adjust themselves without any further assistance on their part."

The remainder of this sequel to the interesting legend of the flood, if any more of it was ever recorded, has been entirely lost—probably it was destroyed in the disturbed condition of the country while it was under the alternate domination of the warring factions. At any rate we have now no means of ascertaining what final adjustment was made between the supposed interests of the man who inherited the earth and of his distant relatives who inherited nothing. Common sense, however, without much display of erudition, ought to indicate to any person living in the nineteenth century, that if the descendants of Ham and Japheth had turned their attention more toward the origin of ownership in the land and cocoanut trees, and less towards the mere division of the cocoanuts, they would have more readily reached a solution of the problems they were discussing. There is no real difference between the principles which established Elam's control of the earth and those which still give men the privilege of control and dictation. If any man has a right to control the use of one coat produced by his own efforts, it is very difficult to determine why he should not control one thousand coats or one million coats if they be acquired in the same way. There is always the element of a dangerous power, and if men now lived like Methuselah to the age of nine hundred and sixty-nine years, we might have to check their efforts in order to prevent the despotic domination of the Fairs, the Goulds, and the Huntingtons, and thus avoid placing the whole earth under their control ; but nature having limited their existence to a briefer period, that period furnishes a convenient method of avoiding those extremes which in

all things become evils. Benevolence is in moderation a blessing, but immoderately exercised it becomes a curse. Wealth accumulation and transfer within reasonable and just limits are beneficial to society ; but carried to the insane degree of our present institutions and pushed still farther, they will convert human beings into maddened brutes.

The inhabitants of Noahme ought to have objected more strenuously to the disposition of Noah's estate, and they should have contested the wills of Shem and Lud, thus preventing the establishment of Elam's iron-clad monopoly over possessions that he evidently had no better right to control than other men had. They ought to have taken a sensible view of social conditions instead of calling Mrs. Ham an anarchist and then quarreling among themselves over the questions of employment and wages. One of Mrs. Ham's distant relatives of the present century has been heard to remark, with the vixenish accents of contempt which characterized her ill-tempered ancestor, that the laborers might as well try to exhaust the waters of the ocean with a rye-straw as to attempt to cure the ills and right the wrongs of society by means of strikes. She thinks that looking at the mere rate of wages alone is a very narrow, selfish, and inadequate conception of the social problem, not at all more intelligent than the ancient position of the cocoanut strikers. Mrs. Ham's descendant also says that the laborers ought to have long ears attached to them because they are perpetually fighting one of the effects of a bad system instead of the real causes. She compares their efforts to an attempt to move a loaded wheelbarrow by lifting at the wrong end, and insists that if they will grasp the handles, it will become easily manageable.

These assertions are repeated here for what they may be worth, without positive approval, for the lady, though

frequently correct in her ideas, is somewhat hasty in her conclusions. It would seem, however, that if the laboring classes will repress and discourage lawlessness in their own ranks, and strive by careful study to obtain an intelligent comprehension, sadly lacking among all classes, of the real evils and dangers by which they are surrounded, to the end that those evils shall be corrected peaceably by the ballot and not aggravated by a blind and ignorant appeal to brute force, their prospects for securing real justice and better social conditions will be vastly greater than they can obtain by the mere continuance of strikes and boycotts, which never reach the cause of the evil, and which can never result in permanent good. If laborers can win in their struggle by striking, they can win more easily by voting. They need to substitute for the family contests now continually going on in our probate courts the intelligent control of estates by the whole people.

CHAPTER XVI.

THE LINK BETWEEN TWO GENERATIONS.

Meek young men grow up in libraries, believing it their duty to accept views which Cicero, Locke, Bacon, have given, forgetful that Cicero, Locke, Bacon, were only young men in libraries when they wrote these books. . . . I had better never see a book, than to be warped by its attractions clear out of my own orbit and made a satellite instead of a system. . . . The one thing in the world of value is the active soul. . . . Man thinking must not be subdued by his instruments.—R. W. EMERSON.

THE privileges of the deathbed have been the source of much discussion and dispute ever since enough wealth was developed to make it worth while for men to quarrel over its possession and disposition. The proper disposal of wealth in the possession of a dying man involves a

consideration of the rights to property, and a determination of the real nature of those conflicting claims represented by the decedent on the one hand and his children or other relatives on the other, whom society usually regards as heirs.

Thus, in this country and in England, the dying man is supposed to have a natural right as well as a legal right to dispose absolutely of his wealth by making a will in favor of any person whom he desires to succeed him in the possession of his property. Jurors called into court to try a probate case will assert one after another that they believe that this is the correct principle to govern such cases. Practically, however, in numberless will-contests, the same jurors are giving the lie to their own assertions by verdicts based on the absurd doctrine or pretense of insanity and undue influence. If the verdicts of juries in the United States in the last ten years be any criterion, the intelligent observer must conclude that nearly every man who has died possessed of a fortune during that period was either a lunatic or an imbecile. The least eccentricity or apparent injustice in the disposition of an estate among the surviving family members, is now the excuse for a will-contest, in which juries habitually overrule the dead man's decree in a way that plainly shows the drift of public sentiment, and indicates that the absolute power of bequest is becoming a legal fiction that will be abandoned before many years. At present juries are constantly destroying the power of wills under the pretense that the testator was insane or unduly influenced, notwithstanding the unsentimental facts of such cases usually are that the decedent was a hard-headed business man, shrewd and capable, who had proved his ability and sanity in the successful management of his property, and who merely proved his selfishness and tyranny in the final disposal of it! The juries are really striking at the

tyranny involved in these deathbed decrees and not at any insanity or incompetency of the testator, and, as all history proves, they are men who in sentiment are slightly in advance of their laws.

The great Fair will contest now in progress at San Francisco is a fine illustration of the absurd condition of our testamentary laws and of the changing public sentiment. James G. Fair, an ex-Senator of the United States from Nevada, died in San Francisco suddenly on December 28, 1894. His estate is supposed to be worth about thirty-eight millions of dollars. His family comprised a son and two daughters, his wife being dead. The deceased also had several collateral relatives. On the day after Mr. Fair's death, a will was filed for probate, which was drawn with extreme care, and which transformed the vast estate into a trust in the hands of four executors, who were to control the property in the interests of the three children, all of whom were adults, the latter not being given any direct control over the estate. The will essentially entailed the Fair estate upon his children, and thereafter upon the descendants of his daughters, as far as entail is now permitted by our laws, the children of his son being cut off from the succession owing to the fact that he had married an actress displeasing to the parent. The trustees of the property were to be paid by fees and legacies, and there were a number of bequests, principally to collateral relatives, ranging from \$3,000 to \$50,000 each, two or three charitable institutions also receiving legacies. This will was dated on September 21, 1894, and it closed with the following section :

“Twenty-second—Believing that I have made a just and equitable disposition of my estate, considering all the circumstances surrounding each and every of the beneficiaries named therein, I now expressly declare and provide that, if any one or more of the legatees or devisees

in this will named or provided for, shall at any time commence any proceeding to contest this will, the legacy, devise and provision therein bequeathed, devised and provided for shall from that time become void, and I hereby revoke the same; and neither the court having jurisdiction of my estate, nor my said executors and trustees, shall have any authority to distribute, pay or deliver to such legatee or devisee any portion of the legacy or devise to which he or they would otherwise be entitled under the provisions hereof, and the legacy, devise or provision so annulled shall thereupon and on the commencement of such proceeding to contest, fall into and become a part of the rest and residue of my estate to the same extent as if the said legacy, devise and provision had been omitted from this will."¹

A few days after this will was filed, it was stolen by unknown persons from the County Clerk's office, and secreted or destroyed, only copies remaining. Not long after this, another will, or what purported to be such, was discovered and filed as a later testament, said to have been written by Mr. Fair himself three days after the execution of the first will. The second will was a brief document written with a pencil on legal cap, and it was brought into court framed between sheets of glass to prevent obliteration by excessive handling. This will left the bequests to collaterals and charitable beneficiaries in nearly the same condition established by the first will, but appointed dif-

¹ In sharp contrast with the principles of entail embodied in the Fair will, is the testament left in Oakland, March 16, 1895, by Alfred Barstow, a lawyer with a philosophic turn of mind. He left a biographic will appointing his wife executrix and desiring that his estate be distributed in accordance with the laws of the State of California. He refrained from binding his successors in any way and added the following explanatory codicil to the testament:

I think no man should have the power to go further than this.

I do not believe the dead should meddle with the quick.

When a person is once comfortably dead and laid to rest, let him cease from troubling, and let the living carry on the business of life.

Very probably the dead one will have all he can attend to if the religious doctors are half right as to the "truths" which they hand out.

ferent executors and abolished the trust, permitting the property to go directly to the three children in equal shares, and providing for an immediate payment of \$500,000 to the son as a portion of his share pending a settlement of the estate.

All three of the children opposed the first will in sentiment, though not in legal action, evidently desiring direct control of the vast property, or fearing that the trustees might absorb its revenues to the financial detriment of the heirs. The newspapers reported that propositions were made to the executors to withdraw the first will on payment of large sums to them by the heirs, and it was stated that all but one of these men were willing to do so under such conditions. No compromise of this kind was effected, however, so a contest was commenced by the son, Charles L. Fair, presumably with the approval of his sisters, who were supposed to have agreed to assist him financially from their income in case he failed to defeat the first will of their father by the second document, although the forfeiture clause in the first will was an obstacle to their open efforts against it.

The one aspiration of James G. Fair's life was the control of wealth, and the first will was, evidently, in all its minute details in exact accordance with the well-known characteristics and feelings of the man who executed it, and who thus artificially projected his own existence into the future, as though his bony fingers were reaching out from the sepulcher, still to direct the disposition of that wealth which was to him next to his own life. Parental affection, pure and true, may also have entered into the formation of this will, for his children did not inherit his own care and skill in the management of property, and his son was popularly esteemed a "ne'er-do-well" whose chief object in life was to spend his father's surplus cash. It is likely that in making this will, James G. Fair was

actuated by two motives : the desire of continuing his estate in an unbroken body, invariably the passion of the great accumulator ; and the desire to make his children comfortable and independent for life, without ruining them by the unrestricted possession of great wealth, which he knew they were not competent to handle, and which he preferred to entrust to his business friends as executors. The children were undoubtedly actuated in the contest by the desire of complete control over the property and by distrust of the men appointed to manage it. Hence the whole estate is involved in litigation, between twenty and thirty lawyers being employed, and tremendous efforts will be made to prove that a man who accumulated nearly forty millions of dollars, and who was successfully managing it at the time of his death, was a half-imbecile who made long wills on one day because his friends desired him to do so, only to change them as the whim occurred to him, or at the solicitation of some other person.

It matters not to the public whether the executors in this case retain control of the estate, whether the heirs obtain the unrestrained privilege of handling it, or whether the score of lawyers employed succeed in absorbing it. It is probable that the result of the trial will distribute the Fair estate about equally in these three directions. The real question for the people of the United States to determine is what moral or equitable right these people have to the estate of James G. Fair beyond the right that accrues to every other citizen of the country. The children were supported in idleness and luxury by Mr. Fair during his lifetime, and the son constantly indulged in luxurious living to the vexation of his father, who manifested his displeasure in the making of the first will. The executors were business friends of the deceased, who had reaped profit from association with the capitalist, and to whom no special assistance was apparently due. The lawyers

employed in the case are simply a band of legalized plunderers, who live at the expense of society while prosecuting various sides of the great contest, and who fight over the spoils with a personal merit not greater than a dozen wharf-rats would display if society kindly permitted a sackful of wheat to be scattered for their benefit. Their position in the Fair will case is the prostitution of great intellect to outrageous social wrong.

Does society propose to continue a system under which the control of fortunes worth from twenty to two hundred millions of dollars when the accumulator has abandoned earth, is made to depend upon the authenticity of a scrap of paper? Are men like Fair to name their own successors in the control of such wealth, are their wishes to be disregarded by juries when they are obviously unjust, or are the people themselves to determine what disposal shall be made of the wealth, disregarding the pretensions of both ancestor and heir, and doing equal justice among all? It should be conceivable to the minds of the present generation in this country that the proper disposition of estates should be absolutely in the hands of judges representing the people under equitable laws, and not a contest between the desires of parent and child. A very large portion of every estate like that of James G. Fair should go to the United States government, for there is really no man in any part of the nation who does not contribute directly or indirectly to its accumulation. The remainder should be distributed among individual successors in the most equitable manner possible, and without giving to any heir or legatee the excuse for riotous living and luxurious worthlessness as the concomitant of vast wealth unearned and consequently undeserved.

Having used this famous case as the type of existing conditions, we will now proceed to review some of the theories relating to successions. It is clear that if the

father has the moral right to bequeath, the children have no moral right to succeed, for these are conflicting claims, and one or the other must give way. In England and America the parent holds the power ; in France and some other European countries the power of the children is superior, and the making of a will is a comparatively barren privilege. It is the effort of this book to prove that the right of the people is supreme over both, and that it is now time to exercise that right, however unnecessary its enforcement may have been in the past. Granting the natural claims of helpless infancy, all men associated under one government are otherwise equal heirs to whatever none of them has directly produced or acquired, for they are again in the condition of two or more men who seek the natural products of game, fish, or fruits, in which none has developed a special right by labor.

In this chapter will be presented some of the ideas that have emanated from the minds of a few great thinkers, not because their thoughts confirm or add the weight of indorsement to the views expressed in this treatise, but because they are interesting in throwing light upon the vexed subject of successions, which have existed in various forms under different conditions of civilization, as we have seen in a preceding chapter, and which have been the subject of almost every conceivable form of legislation.

Veneration for a great name is a trait in human nature so widely prevalent and so powerful in its influence, that any quotation of Herbert Spencer's language on the rights of bequest may not tend to strengthen the position herein occupied, for Mr. Spencer is one of those writers who apparently see nothing wrong or dangerous in the power of making a will. Greatness, however, does not constitute infallibility. Plato possessed one of the greatest intellects the world has produced, yet his thoughts could not rise

above the possession of women as property. Sir Thomas More foresaw many of the improvements of modern civilization when he wrote of Utopia, yet he could not foresee the extinction of slavery. The moral progress of mankind is absolute darkness to all but a few seers who are usually execrated by their contemporaries as Jesus Christ was crucified. Great minds as well as small ones are confined to groveling sentiments, though not in the same degree, by the opinions of their associates and by the habits and customs and beliefs of the age in which they exist, and ideas impressed upon any mind by constant association from its infancy cannot be easily effaced by any process of reasoning. Sometimes men evolve a new belief by reasoning, but more often they merely twist their methods of reasoning into a form to substantiate beliefs formed among the early impressions of childhood. Mr. Spencer is entitled to respect as a great thinker, but not to such veneration as would preclude an examination of his ideas from a skeptical view.

In his recent ethical work entitled *Justice*, he bases the right of property upon human labor, as he did many years previously in *Social Statics*. In the new book, however, his assertions concerning the right of property are vague, doubtful, and hesitating, lacking entirely the positive and vigorous tone of the thoughts enunciated in his earlier work, and indicating that the author is either confused by the difficulties that surround the subject of human rights, or unwilling to positively assert conclusions that would be inimical to property interests, and that would inevitably provoke the hostility of antagonistic human nature.

He reasserts in *Justice* the burden of his thoughts on the land question embraced in *Social Statics*, by saying :

“The earth’s surface cannot be denied to any one absolutely, without rendering life-sustaining activities in-

practicable. In the absence of standing-ground he can do nothing ; and hence it appears to be a corollary from the law of equal freedom, interpreted with strictness, that the earth's surface may not be appropriated by individuals, but may be occupied by them only in such manner as recognizes ultimate ownership by other men, that is—by society at large. . . . But the proposition that men have equal claims to the use of that remaining portion of the environment—hardly to be called a medium—on which all stand and by the products of which all live, is antagonized by ideas and arrangements descending to us from the past. These ideas and arrangements arose when considerations of equity did not affect land tenure any more than they affected the tenure of men as slaves or serfs ; and they now make acceptance of the proposition difficult. If, while possessing those ethical sentiments which social discipline has now produced, men stood in possession of a territory not yet individually portioned out, they would no more hesitate to assert equality of their claims to the land than they would hesitate to assert equality of their claims to light and air. But now that long-standing appropriation, continued culture, as well as sales and purchases, have complicated matters, the dictum of absolute ethics, incongruous with the state of things produced, is apt to be denied altogether.”

In *Justice* Mr. Spencer apparently avoids the land question, and he also avoids a frank and fearless discussion of the rights to property. In a roundabout, hesitating way he intimates that men cannot justly appropriate the surface of the earth under private ownership, but he sees no way of rectifying that injustice except by compensating the appropriators for what he must certainly think they ought not to possess. He does not say what real difference he can discover between a small portion of the earth's surface lying in a horizontal section for use as a garden, and the same portion of the earth made into bricks and used as a wall to fence it, or to construct the owner's house when elevated into a vertical section. He

does not inquire how a man's right to the land he occupies differs from his right to the clothes he wears, or whether there is any real difference, or if there be a difference, how long his right to either possession may justly continue. It is evident that Mr. Spencer would rather discuss the rights to property among the Chippeways and Comanches than the same principles among Englishmen. Nevertheless, he does in one place present the glimmering of the truth that all property of whatsoever kind is alike in its real nature, and that there is no real difference in the nature of human rights to land and to other portions of the earth, for he subsequently says :

“Since all material objects capable of being owned are in one way or other obtained from the earth, it results that the right of property is originally dependent on the right to the use of the earth. While there were yet no artificial products, and natural products were, therefore, the only things which could be appropriated, this was an obviously necessary connection. And though, in our developed form of society, there are multitudinous possessions, ranging from houses, furniture, clothes, works of art, to bank notes, railway shares, mortgages, government bonds, etc., the origins of which have no manifest relation to the use of the earth ; yet it needs but to remember that they either are, or represent, products of labor, that labor is made possible by food, and that food is obtained from the soil, to see that the connection, though remote and entangled, still continues. Whence it follows that a complete ethical justification for the right of property is involved in the same difficulties as the ethical justification for the right to the use of the earth.”

When he wrote *Social Statics* Mr. Spencer believed that land was so different in its nature from other forms of property, that it could not be justly held under private ownership. In the preceding paragraph from *Justice* he evidently perceives that the rights to all kinds of property may be attacked with the same facility as the rights to

land, but he evades the discussion and avoids pushing the investigation of property rights to the only logical result of a denial of perpetuity embodied in successions. In *Justice* his chapters on the rights to property are a weak, evasive, and half-hearted *apology* for the supposed rights of property, entirely unworthy of his pen, for Mr. Spencer is too clear and deep a thinker to fail in tracing out more equitable relations of men to wealth than now exist if he really desired to do so, and to make his thoughts public. In *Social Statics* the vigor of his assertions is in marked contrast with the uncertainty of his later work.

Passing on from the rights to property to the rights of gifts and bequest, the author of *Justice* writes :

“Complete ownership of anything implies power to make over the ownership to another ; since a partial or entire interdict implies partial or entire ownership by the authority issuing the interdict, and therefore limits or overrides the ownership. Hence, if the right of property is admitted, the right of gift is admitted. . . . The right of gift implies the right of bequest ; for a bequest is a postponed gift. If a man may legitimately transfer what he possesses to another, he may legitimately fix the time at which it shall be transferred. When he does this by will, he partially makes the transfer, but provides that the transfer shall take effect only when his own power of possession ceases. And his right to make a gift subject to this condition, is included in his right of ownership ; since, otherwise, his ownership is incomplete. . . . But while, along with the right of gift, the right of bequest is implied by the right of property,—while a man’s ownership may justly be held to include the right of leaving defined portions of what he has to specified recipients ; it does not follow that he is ethically warranted in directing what shall be done by the recipients with the property he leaves to them. Presented in its naked form, the proposition that a man can own a thing when he is dead is absurd, and yet, in a disguised form, ownership after death has been largely in past times, and is to a considerable extent at present, recognized and enforced by

the carrying out of a testator's orders respecting the uses to be made of his bequests. For any prescribing of such uses, implying continuance of some power over the property, implies continuance of some possession, and wholly or partially takes away the possession from those to whom the property is bequeathed. Few will deny that the earth's surface, and the things on it, should be owned in full by the generation at any time existing. Hence the right of property may not equitably be so interpreted as to allow any generation to tell subsequent generations for what purposes, or under what restrictions, they are to use the earth's surface or the things on it. . . . Strictly interpreted, therefore, the right of gift, when it takes the form of bequest, extends only to the distribution of the bequeathed property, and does not include specification of the uses to which it shall be put."

Mr. Spencer evidently thinks, judging him by the tenor of this extract, that a man can justly bequeath his possessions, but that he cannot rightfully direct the use of wealth in the hands of the new possessor. He is manifestly not certain, however, of either of these points, for he hesitates between the two opinions. From his conception of human rights, it is little wonder that he finds his doctrines of succession "perplexing," as he acknowledges in the subjoined extract :

"A more perplexing question here arises. Derived though the ultimate law, alike of sub-human justice and human justice, is from the necessary conditions to self-preservation and the preservation of the species ; and derived from this as are both the right of possession during life and that right of qualified possession after death implied by bequests in trust for immature children ; a kindred derivation of any further right to prescribe the uses of bequeathed property appears impracticable. Nothing beyond a quite empirical compromise seems possible. On the one hand, ownership of property after death is unwarranted by the ultimate principle of justice, save in the case named. On the other hand, when property has been acquired, perhaps by unusual industry, perhaps by great skill in

business (implying benefit to others as well as to self), or perhaps by an invention permanently valuable to mankind, it is hard that the owner should be wholly deprived of power to direct the uses to be made of it after his death; especially where he has no children and must leave it unhequeathed or bequeath it to strangers."

Then, immediately afterward, in still greater doubt, Mr. Spencer goes back to his first idea of *Social Statics*, and clings to the notion that the rights to land are essentially different in their nature from the rights to personal property, as the following paragraph will indicate:

"Evidently a distinction is to be made. One who holds land subject to that supreme ownership of the community, which both ethics and law asserts, cannot rightly have such power of willing the application of it as involves permanent alienation from the community. In respect of what is classed as personalty, however, the case is different. Property which is the product of efforts, and which has resulted either from the expenditure of such efforts upon raw materials for which equivalents (representing so much labor) have been given, or from the savings out of wages or salaries, and is thus possessed in virtue of that relation between actions and their consequences, on the maintenance of which justice insists, stands in another category. Such property being a portion of that which society has paid the individual for work done, but which he has not consumed, he may reasonably contend that in giving it back to society, either as represented by certain of its members or by some incorporated body, he should be allowed to specify the conditions under which the bequest is to be accepted. In this case it cannot be said that anything is alienated which belongs to others. Contrariwise, others receive that to which they have no claim; and are benefited, even when they use it for prescribed purposes: refusal of it being the alternative if the purposes are not regarded as beneficial. Still, as bequeathed personal property is habitually invested, power to prescribe its uses without any limit of time may result in its being permanently

turned to ends which, good though they were when it was bequeathed, have been rendered otherwise by social changes. Hence an empirical compromise appears needful. We seem called upon to say that a testator should have some power of directing the application of property not bequeathed to children, but that his power should be limited ; and that the limits must be settled by experience of results."

Reserving all comment on these views for the present, we will examine John Stuart Mill's writings on the same subjects. Mr. Mill, as we have shown in a preceding chapter, was like the Mr. Spencer of *Social Statics*, a firm believer in the doctrine that land ought not to be subjected to private ownership. His conception of the right of property is expressed in the following extract with a clearness and positive assertion that is delightfully in contrast with the timid utterances of Mr. Spencer on the same subject in his recent work :

"The institution of property, when limited to its essential elements, consists in the recognition, in each person, of a right to the exclusive disposal of what he or she have produced by their own exertions, or received either by gift or by fair agreement, without force or fraud, from those who produced it. The foundation of the whole is the right of producers to what they themselves have produced. To me it seems almost an axiom that property in land should be interpreted strictly, and that the balance in all cases of doubt should incline against the proprietor. The reverse is the case with property in movables, and in all things the product of labor : over these, the owner's power both of use and exclusion should be absolute except where positive evil to others would result from it ; but in the case of land, no exclusive right should be permitted in any individual which cannot be shown to be productive of positive good. To be allowed any exclusive right at all over a portion of the common inheritance, while there are others who have no portion, is already a privilege. No quantity of movable goods which a person

can acquire by his labor, prevents others from acquiring the like by the same means ; but from the very nature of the case, whoever owns land, keeps others out of the enjoyment of it. The privilege, or monopoly, is only defensible as a necessary evil ; it becomes an injustice when carried to any point to which the compensating good does not follow it."

Commenting on the privileges of inheritance and bequest, this author is equally decisive and explicit in the following paragraphs :

"If it be said, as it may with truth, that those who have inherited the savings of others have an advantage which they have in no way deserved, over the industrious whose predecessors have not left them anything ; I not only admit but strenuously contend, that this unearned advantage should be curtailed as much as is consistent with justice to those who thought fit to dispose of their savings by giving them to their descendants. But while it is true that the laborers are at a disadvantage compared with those whose predecessors have saved, it is also true that the laborers are far better off than if those predecessors had not saved. They share in the advantage, though not to an equal extent with the inheritors. . . . Nothing is implied in property but the right of each to his (or her) own faculties, to what he can produce by them, and to whatever he can get for them in a fair market ; together with his right to give this to any other person, if he chooses, and the right of that other to receive and enjoy it.

"It follows therefore, that though the right of bequest, or gift after death, forms part of the idea of private property, the right of inheritance, as distinguished from bequest, does not. That the property of persons who have made no disposition of it during their lifetime, should pass first to their children, and failing them, to the nearest relations, may be a proper arrangement or not, but it is no consequence of the principle of private property. . . . No presumption in favor of existing ideas on this subject is to be derived from their antiquity. In early ages, the property of a deceased person passed to his children and

nearest relatives by so natural and obvious an arrangement, that no other was likely to be even thought of in competition with it. . . . Exclusive individual property in the modern sense scarcely entered into the ideas of the time ; and when the first magistrate of the (family) association died, he really left nothing vacant but his own share in the division, which devolved on the members of the family who succeeded to his authority. To have disposed of the property otherwise would have been to break up a little commonwealth, united by ideas, interest, and habits, and to cast them adrift on the world. These considerations, though rather felt than reasoned about, had so great an influence on the minds of mankind, as to create the idea of an inherent right in the children to the possessions of their ancestor ; a right which it was not competent to himself to defeat. Bequest, in a primitive state of society, was seldom recognized ; a clear proof, were there no other, that property was conceived in a manner totally different from the conception of it in the present time.

“ But the feudal family, the last historical form of patriarchal life, has long perished, and the unit of society is not now the family or clan, composed of all the reputed descendants of a common ancestor, but the individual ; or at most a pair of individuals, with their unemancipated children. Property is now inherent in individuals, not in families ; the children when grown up do not follow the occupations or fortunes of the parents : if they participate in the parents’ pecuniary means, it is at his or her pleasure, and not by a voice in the ownership and government of the whole, but generally by the exclusive enjoyment of a part : and in this country [England] at least (except as far as entails or settlements are an obstacle) it is in the power of parents to disinherit even their children, and leave their fortune to strangers. More distant relatives are in general almost as completely detached from the family and its interests as if they were in no way connected with it. . . . The only claim they are supposed to have on their richer relatives, is to a preference, *ceteris paribus*, in good offices, and some aid in case of actual necessity.

“ So great a change in the constitution of society must

make a considerable difference in the grounds on which the disposal of property by inheritance should rest. The reasons usually assigned by modern writers for giving the property of a person who dies intestate to the children or nearest relatives, are, first, the supposition that in so disposing of it, the law is more likely than in any other mode to do what the proprietor would have done, if he had done anything ; and, secondly, the hardship to those who lived with their parents and partook in their opulence, of being cast down from the enjoyments of wealth into poverty and privation.

“There is some force in both these arguments. The law ought, no doubt, to do for the children or dependents of an intestate, whatever it was the duty of the parent or protector to have done, so far as this can be known by any one besides himself. Since, however, the law cannot decide on individual claims but must proceed by general rules, it is next to be considered what these rules should be.

“We may first remark, that in regard to collateral relatives, it is not, unless on grounds personal to the particular individual, the duty of any one to make a pecuniary provision for them. No one now expects it, unless there happen to be no direct heirs ; nor would it be expected, even then, if the expectation were not created by the provisions of the law in cases of intestacy. I see, therefore, no reason why collateral inheritance should exist at all. Mr. Bentham long ago proposed, and other high authorities have agreed in the opinion, that if there are no heirs either in the descending or ascending line, the property in cases of intestacy should escheat to the State. With respect to the more remote degrees of collateral relationship, the point is not very likely to be disputed. Few will maintain that there is any good reason why the accumulations of some childless miser should on his death (as every now and then happens) go to enrich a distant relative who never saw him, who perhaps never knew himself to be related to him, until there was something to be gained by it, and who had no moral claim upon him of any kind, more than the most entire stranger. But the reason of the case applies to all collaterals, even in the

nearest degree. Collaterals have no real claims, but such as may be equally strong in the case of non-relatives ; and in the one case as in the other, where valid claims exist, the proper mode of paying regard to them is by bequest.

“The claims of children are of a different nature ; they are real and indefeasible. But even of these I venture to think that the measure usually taken is an erroneous one ; what is due to children is in some respects underrated, in others, as it appears to me, exaggerated. One of the most binding of all obligations, that of not bringing children into the world unless they can be maintained in comfort during childhood, and brought up with a likelihood of supporting themselves when of full age, is both disregarded in practice and made light of in theory in a manner disgraceful to human intelligence. On the other hand, when the parent possesses property, the claims of the children upon it seem to me to be the subject of an opposite error. Whatever fortune a parent may have inherited, or still more may have acquired, I cannot admit he owes to his children, merely because they are his children, to leave them rich, without the necessity of any exertion. I could not admit it, even if to be so left were always, and certainly, for the good of the children themselves. But this is in the highest degree uncertain. It depends on individual character. Without supposing extreme cases, it may be affirmed that in a majority of instances the good not only of society, but of the individuals, would be better consulted by bequeathing to them a moderate, than a large provision. This, which is a commonplace of moralists, ancient and modern, is felt to be true by many intelligent parents, and would be acted upon much more frequently, if they did not allow themselves to consider less what really is, than what will be thought by others to be advantageous to the children. . . . A provision then, such as is admitted to be reasonable in the case of illegitimate children, of younger children, wherever in short the justice of the case and the real interests of the individuals and of society are the only things considered, is, I conceive, all that parents owe to their children, and all, therefore, which the State owes to the children

of those who die intestate. The surplus, if any, I hold that it may rightfully appropriate to the general purposes of the community. I would not, however, be supposed to recommend that parents should never do more for their children than what, merely as children, they have a moral right to. In some cases it is imperative, in many laudable, and in all allowable to do much more. For this, however, the means are afforded in the liberty of bequest. It is due not to the children, but to the parents, that they should have the power of showing marks of affection, of requiting services and sacrifices, and of bestowing their wealth according to their own preferences or their own judgment of fitness.

“Whether the power of bequest should itself be subject to limitation, is an ulterior question of great importance. Unlike inheritance *ab intestato*, bequest is one of the attributes of property: the ownership of a thing cannot be looked upon as complete without the power of bestowing it, at death or during life, at the owner's pleasure: and all the reasons which recommend that private property should exist, recommend *pro tanto* this extension of it. But property is only a means to an end, not itself the end. Like all other proprietary rights, and even in a greater degree than most, the power of bequest may be so exercised as to conflict with the permanent interests of the human race. It does so when, not content with bequeathing an estate to A., the testator prescribes that on A.'s death it shall pass to his eldest son, and to that son's son, and so on forever. No doubt, persons have occasionally exerted themselves more strenuously to acquire a fortune from the hope of founding a family in perpetuity; but the mischiefs to society of such perpetuities outweigh the value of this incentive to exertion, and the incentives in the case of those who have the opportunities of making large fortunes are strong enough without it. A similar abuse of the power of bequest is committed when a person who does the meritorious act of leaving property for public uses, attempts to prescribe the details of its application in perpetuity; when in founding a place of education (for instance), he dictates forever what doctrines shall be taught. It being impossible that any one should know

what doctrines will be fit to be taught after he has been dead for centuries, the law ought not to give effect to such dispositions of property, unless subject to the perpetual revision (after a certain interval has elapsed) of a fitting authority.

“These are obvious limitations. But even the simplest exercise of the right of bequest, that of determining the person to whom property shall pass immediately on the death of the testator, has always been reckoned among the privileges which might be limited or varied, according to views of expediency. The limitations, hitherto, have been almost solely in favor of children. In England the right is in principle unlimited, almost the only impediment being that arising from a settlement by a former proprietor, in which case the holder for the time being cannot indeed bequeath his possessions, but only because there is nothing to bequeath, he having merely a life interest. By the Roman law, on which the civil legislation of the continent of Europe was founded, bequest originally was not permitted at all, and even after it was introduced, a *legitima portio* was compulsorily reserved for each child; and such is still the law in some of the Continental nations. By the French law since the Revolution, the parent can only dispose by will, of a portion equal to the share of one child, each of the children taking an equal portion. This entail, as it may be called, of the bulk of every one's property upon the children collectively, seems to me as little defensible in principle as an entail in favor of one child, though it does not shock so directly the idea of justice. I cannot admit that parents should be compelled to leave to their children even that provision, which, as children, I have contended that they have a moral claim to. Children may forfeit that claim by general unworthiness, or particular ill-conduct to the parents; they may have other resources or prospects; what has been previously done for them, in the way of education and advancement in life, may fully satisfy their moral claim; or others may have claims superior to theirs. The extreme restriction of the power of bequest in French law was adopted as a democratic expedient to break down the custom of primogeniture, and counteract the tendency of inherited property to collect in large masses. I agree in

thinking these objects eminently desirable ; but the means used are not, I think, the most judicious. Were I framing a code of laws according to what seems to me best in itself, without regard to existing opinions and sentiments, I should prefer to restrict, not what any one might bequeath, but what any one should be permitted to acquire by inheritance or bequest. Each person should have power to dispose by will of his or her whole property ; but not to lavish it in enriching some one individual, beyond a certain maximum, which should be fixed sufficiently high to afford the means of comfortable independence. The inequalities of property which arise from unequal industry, frugality, perseverance, talents, and to a certain extent even opportunities, are inseparable from the principle of private property, and if we accept the principle, we must bear with these consequences of it ; but I see nothing objectionable in fixing a limit to what any one may acquire by the mere favor of others, without any exercise of his faculties, and in requiring that if he desires any further accession of fortune he shall work for it. I do not conceive that the degree of limitation which this would impose on the right of bequest would be felt as a burdensome restraint by any testator who estimated a large fortune at its true value, that of the pleasures and advantages that can be purchased with it ; on even the most extravagant estimate of which, it must be apparent to every one, that the difference to the happiness of the possessor between a moderate independence and five times as much, is insignificant when weighed against the enjoyment that might be given, and the permanent benefits diffused, by some other disposal of the four-fifths. So long indeed as the opinion practically prevails, that the best thing which can be done for objects of affection is to heap on them to satiety those intrinsically worthless things on which large fortunes are mostly expended, there might be little use in enacting such a law, even if it were possible to get it passed, since, if there were the inclination, there would generally be the power of evading it. The law would be unavailing unless the popular sentiment went energetically along with it ; which (judging from the tenacious adherence of public opinion in France to the law of compulsory division) it would in some states

of society and government be very likely to do, however much the contrary may be the fact in England, and at the present time. If the restriction could be made practically effectual, the benefit would be great. Wealth, which could no longer be employed in over-enriching a few, would either be devoted to objects of public usefulness, or if bestowed on individuals, would be distributed among a larger number. While those enormous fortunes, which no one needs for any personal purpose but ostentation or improper power, would become much less numerous, there would be a great multiplication of persons in easy circumstances with the advantages of leisure, and the real enjoyments which wealth can give, except those of vanity; a class by whom the services which a nation having leisured classes is entitled to expect from them, either by their direct exertions or by the tone they give to the feelings and tastes of the public, would be rendered in a much more beneficial manner than at present. A large portion also of the accumulations of successful industry would probably be devoted to public uses, either by direct bequest to the State, or by the endowment of institutions; as is already done very largely in the United States, where the ideas and practice, in the matter of inheritance, seem to be unusually rational and beneficial."

Quotations are thus freely made from Mr. Mill's chapter on property and inheritance for, while many of his ideas are at variance with those herein expressed, his frank treatment of the whole question and his evident desire to ascertain and express the truth entitle his writings to the sympathy even of an opponent. Regarding the right of bequest as a portion of the right of property, he saw no way of consistently interfering with a man's power of making a will by restricting that privilege directly, inasmuch as he considered such restriction an attack upon the right of property. Hence Mr. Mill advocated a limitation of the amount to be received as a bequest or inheritance by any successor, without, apparently, reflecting that such a limitation would be quite as much a restriction

upon the power of bequest as upon the power of inheritance, and, therefore, still an interference with the supposed right of property and not really different in its nature but only in degree from the entire abolition of the privilege of bequest. The writer had not made a thorough analysis of the rights of property, bequest, and inheritance, when he wrote, so he fell into the inconsistency of supposing that a restriction of inheritance such as he describes does not at the same time restrict the right of bequest and through that the fetich of perpetual ownership that has been worshiped so assiduously and so reverently.

Passing on from these famous English writers, we will now examine the thoughts of an American, Judge Edward A. Thomas, of New York, who contributed an article to a periodical¹ several years ago on the nature of successions and the power of making wills. Judge Thomas is evidently a close observer of human nature, and an extensive experience in the courts led him to the conclusion that the unrestricted privilege of making wills often causes great injustice, and that our laws can be greatly improved in this respect. After a brief consideration of the history of wills and the abuses to which the power has been subjected, he writes :

“It has been wisely ordained by Supreme Power that we can take nothing with us when we leave this earth. To many it appears inexpedient and unjust to permit a man after he has passed to another world virtually to control and direct affairs in this. American institutions are firmly opposed to the entail of real estate. But our lawgivers have not gone far enough. They should, as far as possible, sever a man’s connection with earthly affairs the moment that the spirit of life departs from the body. Is it not enough that he has absolute control and enjoyment of his property while living, without affixing to it what may perchance prove a baleful influence after

¹ *Forum*, December, 1886.

he has ceased to live? It is right that he should so control and enjoy it during life. He has, however, but a life-interest in it. This is settled by the laws of nature, if not by the laws of man. If this statement is thought incorrect, carry the idea to a final sequence. In England real estate has been entailed without restraint. In several American States devises are limited to two lives then in being. By this very limitation law-makers to a certain extent stultify themselves. They say that the testator may control it, and again that he may not. They say that he shall have the absolute disposition of it, but immediately restrict that disposition. They interfere with the limit which nature has fixed to his control over it, and attempt to make one themselves.

“If a man is given the right to dispose of his property, so that what he directs is to be carried out and enforced after his death, why should he be limited at all in that disposition? Or why should he be limited to less than four, six, or eight lives? It is only a question of degree or extent. The very fact that it has been found necessary to place so firm and so strict a limitation upon the power to dispose of property by will, certainly tends to prove that the principle of disposing of all property in that manner is evil. Otherwise, no limitation would be necessary. If, however, such a power has proved beneficent, why not extend it to two, four, or six lives, and so on *ad infinitum*? Should this be followed up, the result would be a strange condition of affairs. Our laws upon this subject, as I have before stated, are largely derived from those of England. But with laws that have proved of the highest value to us, others fit only for a monarchy have been engrafted on our system of jurisprudence, and with them we have received a mass of prejudices which have retarded our advancement to a more liberal plan.

“If a parent desires to distribute his property equitably among his children, he can rarely do better than to follow the statutes of distribution. If he does not propose to deal equitably, then he should not be given the power to do otherwise. This might sometimes work a hardship, but laws cannot be enacted which will reach all cases or remedy every evil. They may, however, be so drawn

as to prove beneficent in a majority of instances. There are many reasons for believing that a wise and general law for the distribution of property will better effect this than one which permits each individual to be governed by his own whims, notions, and prejudices. A man is responsible for the care, the health, the education, and the happiness of his children. That responsibility does not cease when they attain majority. He should treat them with strict impartiality. For a mere whim he should not be permitted to favor one more than another. Owing to his good or bad management they are generally what he finds them to be. He has no right to bring them up in comfort and luxury, and then, for some freak, to leave them nearly or quite penniless. Their errors as well as their virtues are frequently attributable entirely to their parents. The child against whom the parent feels most bitterness is often the very one who, in intellect, temperament, habits, and aspirations most nearly resembles that parent himself.

"It has been presumed that natural affection will guide a man right in the treatment of his children. Such has not proved to be the case. The instances are numerous where a favorite child, or a young and second wife, or a spiritual adviser, or a fit of passion, an unreasonable bias, or merely an old man's fancy, has completely changed the just and natural disposition of property; so numerous, in fact, are they, that they have become the rule rather than the exception. A general statute providing that, except for special reasons, each child shall receive share and share alike, would not only appear to be the most equitable in by far the majority of instances, but would promote family concord and happiness, and would diminish family feuds and litigation to a remarkable extent.

"In one case, which arose not far from Buffalo, a man, with the direct aid and counsel of his wife, and with the help of two children, had amassed quite a fortune. They had actually earned more of it than he had himself. But he, thinking to render his name distinguished, decided to establish a school, and when his will was opened, his wife found herself with but a small dower interest (of which he had not the power to deprive

her), and her sons penniless. In another instance a man engaged as a large manufacturer became seriously embarrassed financially, but by the skill, sagacity, and assistance of his eldest son, recovered from his difficulties, and finally died a wealthy man. At the examination of his will, it was ascertained that the eldest son was disinherited. This had been done, not because that son was any richer than some of the others, for he was not. It was so decided for the reason that this son, in choosing a wife, had preferred to suit himself rather than his father.

"The laws should be so amended that when a man dies leaving children or their offspring, he shall not be permitted to will away from them the bulk of his estate, but that, after providing for the widow, it shall be equitably divided among his descendants. . . . Should the deceased leave no descendants, a far greater liberty in the disposition of his property should be given him."

Judge Thomas, like nearly every other thoughtful man of the present era, finds something apparently wrong in the absolute power of bequeathing wealth, but he is unable to free his mind from the ancient idea that a natural right of succession exists in the children independent of any other relations sustained by them to their parents. John Stuart Mill thought that the ancestor's privilege of bequest is sacred, while Judge Thomas has no reverence for the dying man's claim, but worships the presumed right of the descendants to succeed to entire possession. Neither of these writers commenced with a careful consideration of the nature of property, bequests, and inheritance, so they arrive at opposite conclusions while endeavoring to reach the same ends. Their ideas are valuable and interesting, Judge Thomas, especially, illustrating the abuses to which the making of wills is subject.

Blackstone's famous treatise on English law furnishes interesting comments on the principles of successions. This learned writer of the eighteenth century, in delight-

fully clear and simple style, has much to say of property and successions, presenting the accepted views of his time without much inquiry into the justice or injustice of established institutions. Concerning property, he naively says :

“There is nothing which so generally strikes the imagination and engages the affections of mankind as the right of property ; or that sole and despotic dominion which one man claims and exercises over the external things of the world, in total exclusion of the rights of any other individual in the universe. And yet there are very few that will give themselves the trouble to consider the original and foundation of this right. Pleased as we are with the possession, we seem afraid to look back to the means by which it was acquired, as if fearful of some defect in our title ; or, at best, we rest satisfied with the decision of the laws in our favor without examining the reason or authority upon which those laws have been built. We think it enough that our title is derived from the grant of the former proprietor, by descent from our ancestors, or by the last will and testament of the dying owner ; not caring to reflect that (accurately and strictly speaking) there is no foundation in nature or in natural law why a set of words upon parchment should convey the dominion of land ; why the son should have the right to exclude his fellow-creatures from a determinate spot of ground, because his father had done so before him ; or why the occupier of a particular field or of a jewel, when lying on his deathbed, and no longer able to maintain possession, should be entitled to tell all the rest of the world which of them should enjoy it after him. These inquiries, it must be owned, would be useless and even troublesome in common life. It is well if the mass of mankind will obey the laws when made, without scrutinizing too nicely into the reason for making them.”

Sir William then proceeds to explain the origin of property as a matter of scientific but not of practical interest, according to the ideas then generally accepted, ascribing individual occupancy as the foundation of the

right, a theory which has been exploded by the investigation of early social institutions showing the nature of the family and family clan in early government. Blackstone's thinking is accurate and very clearly and precisely expressed ; but like every other man who has tried to discover a just cause for an outrageously unjust condition, he becomes hopelessly bewildered in determining the nature of rights to property. His mind is too vigorous to admit the idea of perpetual ownership, so he dismisses the whole question by saying that "such disputes savor too much of nice and scholastic refinement." His commentator, Joseph Chitty, is more orthodox in the sacred creed of perpetual ownership than Blackstone, and in a note he disagrees with the latter in the following language :

"But how or when, then, does property commence? I conceive no better answer can be given than by occupancy, or when anything is separated for private use from the common stores of nature. This is agreeable to the reason and sentiments of mankind prior to all civil establishments."

Having expressed very liberal and progressive ideas in relation to property, Sir William Blackstone then proceeds to consider successions, and says :

"The right of inheritance or descent to the children and relations of the deceased, seems to have been allowed much earlier than the right of devising by testament. We are apt to conceive, at first view, that it has nature on its side, yet we often mistake for nature what we find established by long and inveterate custom. It is certainly a wise and effectual, but clearly a political establishment, since the permanent right of property invested in the ancestor himself was no *natural* but merely a *civil* right."

Chitty's reverence for the gospel of property again causes him to dissent from these conclusions, in a note couched in the following language :

“I cannot agree with the learned commentator that the permanent right of property vested in the ancestor himself (that is for his life) is not a natural but merely a civil right. I have endeavored to show that the notion of property is universal, and is suggested to the mind of man by reason and nature, prior to all positive institutions and civilized refinements. If the laws of the land were suspended, we should be under the same moral and natural obligations to refrain from invading each other's property as from attacking and assaulting each other's persons. I am obliged also to differ from the learned judge, and all writers upon general law, who maintain that children have no better claim by nature to succeed to the property of their deceased parents than strangers, and that the preference given to them originated solely in political establishments. The affection of parents toward their children is the most powerful and universal principle which nature has planted in the human breast; and it cannot be conceived, even in the most savage state, that anyone is so destitute of that affection and of reason, who would not revolt at the position that a stranger has as good a right as his children to the property of the deceased parent.”

In this discussion between the two writers, it will be observed that each ignores productive effort as a factor in property rights, the entire attention of both being confined to occupancy and consanguinity. Hence to clear modern thought each will appear partly right and partly wrong; for the children unquestionably have a better moral right than strangers to the extent of their productive efforts in forming the family possessions, but no better right in excess of that from the mere fact of consanguinity. Blackstone's ideas were quite radical on the subject of successions, as the following paragraph will indicate:

“If a man disinherits his son, by a will duly executed, and leaves his estate to a stranger, there are many who consider this proceeding as contrary to natural justice; while others so scrupulously adhere to the supposed

intentions of the dead, that if a will of lands be attested by only *two* witnesses instead of *three*, which the law requires, they are apt to imagine that the heir is bound in conscience to relinquish his title to the devisee. But both of them certainly proceed upon very erroneous principles, as if, on the one hand, the son had by nature a right to succeed to his father's lands; or as if, on the other hand, the owner was by nature entitled to direct the succession of his property after his own decease. Whereas the law of nature suggests, that on the death of the possessor the estate should again become common, and become open to the next occupant, unless otherwise ordered for the sake of civil peace by the positive law of society."

The substance of the arguments for and against bequests is also mentioned by Lord Chief Baron Gilbert in his "Law of Descents," published in 1792, wherein he states that—

"It has been disputed whether testaments owe their origin to a natural or positive law. But since things (over which the property was first established) are intended only for the uses of men in this life, they thought it sufficient to that end to allow the occupier the command of his possessions during his life, but that the management of what belonged to the dead should be left to the living.¹ But, on the other side, if we consider that men

¹ The following illustrative cases of the absurd principle involved in the dead man's decrees were cited by H. L. Wayland, of Philadelphia, in a paper read before the American Association of Social Science; embodying views very similar to those expressed in this book:

A woman left by will certain property "to be used in printing, publishing and propagating the sacred writing of Joanna Southcote." Presently the last member of the sect founded by Joanna died, but for all that the English courts held that the will must be carried out and the property devoted through all time as prescribed by the testator.

A man left a foundation requiring that each year a sermon be preached in Norwich, England, to the Walloons in Low Dutch. So each year a clergyman who does not understand the language, commits to memory a sermon and recites it like a parrot to bare walls.

The Duke of Richmond is receiving from the British Treasury as a hereditary pension, £19,000 a year because of the relationship which his ancestress, Louise Querouaille, stood to the Merry Monarch, Charles

are obliged to take particular care of their children, as well as of others allied to them by blood, and that it is not sufficient (for the peace of society) to introduce such a dominion of things as would turn only to present use (since this would create no less confusion than the primitive community), it will appear necessary that the continuance of property should not depend on any fixed period of time, but be indefinite, and so pass down and be continued to others. Besides, this privilege is a great encouragement to industry. For men were apt to extend their right to the common productions of the earth too far, and in their wants would easily persuade themselves that no appropriation would deprive them of it; therefore, whatever could prevail on them to lay up the fruits of the earth, and prevent that rapine which the want of them produced, must of consequence be highly reasonable; and what could be a greater motive than, (after a full enjoyment of them in this life,) a free power to dispose of them to those whose interest and happiness ought to be our greatest concern?"

Recent thought on the testamentary laws of England is expressed by Lady Cook in the following words closing an historical review ' of successions in that country :

"The law which governs the disposal of property by the present system of wills and heirs is defective in many points; but there are two to which we will confine our attention, because they are so grossly unjust, and are opposed to morality and the general welfare of society. These are primogeniture and the absolute power of the testator to will as it pleases him. Whatever may have been the advantages of primogeniture when military tenures obtained and when lands could not be alienated with the consent of the feudal lord, its existence now is a social anachronism and an evil which should be speedily abolished. Its object is the perpetuation and accumula-

II. This sum has been paid for over 200 years, \$20,000,000 in all. Should it continue for all time?

A man in England left an estate, the income of which was to buy fagots to burn heretics. Must future generations use the fund according to his directions?

¹ *Westminster Review*, February, 1895.

tion of property. . . . When any excess of wealth with some and of poverty with others becomes widespread, it is as certain to produce popular disturbances to-day as in any period of the past. Athens, the first mother of liberty, fell from this cause, which was brought about by a slight change in her laws, giving larger powers to childless testators, and thus encouraging the growth of vast estates. It would be impossible to enumerate the corruptions and economic wrongs that in all countries and at all times have resulted from individual accumulation and possession of extraordinary wealth. Custom has so hardened us since the Conquest that even good men sometimes see no immorality in the law of primogeniture—a law which gives the whole of a man's landed estate to his eldest son, and makes paupers of the widow and the other children. . . . It is an almost universal axiom that every legal right has its corresponding duty. As the law now allows a sane man to make his will and compels the fulfillment of his wishes after death, it follows that its provisions should neither violate public sentiment nor public decency. There should be a well-defined limit to testamentary power. It should not lie in the dead hand to stab the living. We compel a man to treat his wife and family with humanity before he dies ; we should see, also, that his will accords with this afterwards. But may not a man do as he likes with his own? We answer No ! not entirely. He should have absolute power over a portion only. He should not be allowed to act against natural claims, against justice and decency, or to prefer those more remote to those that are near. He should not be permitted to beggar his family or any member thereof. . . . It should be demanded that no part of a will shall be valid which may be improperly devised, or in which the whole of a man's family is not duly provided for. In this matter we might take a useful lesson from other countries, for however advanced we may be in some things, we are behind many in this. Mahometan law, for instance, commenced twelve and a half centuries ago, and on this point it is in many respects far superior to ours."

These extracts present the conflicting theories of prop-

erty and successions usually entertained in one form or another by nearly every man. We will now proceed to analyze the nature of such claims by applying to them the same principles of fairness or justice that men habitually apply to other questions in the present era. Men usually concede at the present time that the foundation of special or private rights to wealth exists in the application of labor, by either mental or physical effort, to the thing which is thus claimed. For instance, the people of the United States are supposed to have equal rights in the fish of the ocean washing its shores, within the limits of the national claims. One man may fish there all his lifetime, but he never has anything more than his conceded equal right till he catches one of the finny tribe, when he immediately acquires a special claim to that particular fish, which constitutes the right of property. He eats his fish, and the product of his effort is said to be destroyed, although the elements of the food still exist in chemical transformations of no further immediate utility as fish-property to other human beings. Similarly, men in the United States theoretically owned the entire land-surface of the country in common before it was distributed and placed under special rights, and the entire people are still supposed to own all public lands. Under the homestead laws and various other statutes, the lands have been divided and distributed, but the basis of the special rights thus recognized is either direct or indirect labor. Under the homestead law, a man must complete certain improvements on his land before he can acquire a title, his claim thus being established by direct labor; and in all other cases he must make a payment to the whole people, which is merely indirect labor, since his money is supposed to represent work of some kind. The rights to the land, both equal and special or private, are identically the same as the rights to the fish, and are acquired in

exactly the same way, the only difference being that the fish by immediate chemical transformation loses all further value as soon as it is eaten, whereas the usefulness and value of the land continues in some degree greater or less than its original condition. If the fish were a magic halibut that grew again to its original dimensions immediately after being consumed, so as to have a permanent form and a persistent value, a certain class of thinkers would contend that different rights were involved in the possession of that particular fish from those existing in the possession of other denizens of the sea.

In our competitive existence, the universal idea of fairness is that every man is entitled to whatever results from his own productive efforts. This doctrine is invariably the plea of those who oppose all denunciation of wealth conditions and distribution. "If a man catches fish in the sea of life," say these people, "and if these fish happen to be worth one million or a hundred millions of dollars, where is the wrong? The men who did not fish or could not fish ought not to blame the successful angler nor try to deprive him of the reward of his efforts." Men now acquire private rights to wealth of all kinds, to land, to fish, and everything else deemed valuable, by the successful application of their own efforts, and at one time they acquired titles to other human beings in exactly the same way. In the justice of the past, men were supposed to have a private right of ownership in other men, and until recently that portion of generic man denominated woman had no right of ownership in anything whatever. But we will not further discuss these little variations in private rights, although it may not be an unreasonable speculation to surmise that possibly, many years hence, mankind may believe that the unlucky fisherman who throws his line patiently all day is really entitled to something whether he catches it or not, and that the

other unfortunate who is crowded out of all the desirable fishing grounds by his stronger associates, and thus starved into cleaning their fish for the fragments, deserves a better fate than the social fishermen now bestow upon him.

The real question for society to determine is not so much the acquirement of private rights, as their real nature and continuance. Granting that unequal private rights to wealth in all its forms justly exist as the result of varying human effort and good or bad fortune, the real question is : How long do those rights continue and when do they terminate ? The people of every civilized country in the world declare by their laws that all such rights, with but two exceptions,¹ hereinafter mentioned, are perpetual. That is, if Herbert Spencer catches a fish the constituents of that animal are his forever, and if he secures an acre of land, his right to it becomes a perpetuity in the same way. Both fish and land are parts of the earth to which he obtains a right that theoretically and practically, so far as the relations of other men to him and his agents are concerned, absolutely excludes others so long as men shall exist on this planet and agree to maintain established conditions.

Mr. Spencer, in the extract previously quoted, says : "Presented in its naked form, the proposition that a man can own a thing when he is dead is absurd." He regards that absurdity, however, as applying only to entail and to the privileges still existing by which a decedent is allowed to restrict the use of his wealth in the hands of his immediate successors under the provisions of his will. That kind of restriction Mr. Spencer regards as an absurdity, but he is strangely blind to the equal absurdity in any power whatever of controlling the use of wealth at the deathbed. Mr. Spencer cannot conceive that the rights

¹ Patents and Copyrights.

of any human being except the dying man and his legatees or other legal successors are involved in any way whatever by the disposition of estates. His thinking is cramped by the narrow idea that equitable private rights are justly transmissible to a successor, and following out this assumption, if some person had long ago acquired an equitable private right among his contemporaries to the land upon which London is built, he would in the name of that "Justice" embodied in his recent work, maintain the claims of the proprietor's descendants or legatees to absolute ownership of the entire estate, disregarding the real fact, which inevitably takes precedence of all "paper constitutions" and Spencerian ideas of justice, that human rights are a matter of equity between the living alone, and not between the living and the dead. He also disregards the fact that instead of any man's really owning the earth or any part thereof, the essential truth is that the earth owns him ; for his body, if not his soul, came out of it, and all the absurd human laws ever enacted will neither change his destiny nor prevent him from going whence he came. Instead of being an eternal producer, man is eternally produced in a new form, but rather than admit this truth so humiliating to his egotism, he persistently endeavors to project his power into the future wherein it is impossible for him to project his individual life. He regards that portion of the earth which has temporarily fallen under his dominion during his brief existence, as a thing in which are involved only his own rights and those of his immediate and direct successors. He believes that all other human beings have no just claims whatever in the future to any share in the use of that portion of the earth which has fallen under his authority ; and thus, dominated by these silly ideas, society moves onward.

Is it any wonder that such a progression leads to catastrophes? The laws of nature express eternal truth,

and whenever man attempts to subvert them by pretensions so utterly at variance with all life, from the lowest to the highest, the lie that he thus enunciates in his laws and customs sooner or later brings its own penalty in the destruction of human warfare.

Judge Thomas seems to perceive that exercising the power of making a will inevitably establishes a perpetuity of possession by means of agents, and merges one man's life into that of a successor in a way that becomes an injustice to direct descendants, although he has not perceived, or at least he has ignored, the greater truth that a will defies and disregards the rights of all other survivors who may not be related to the dying man. The effect of testaments may be illustrated by a mechanical experiment. Lay upon a level surface fifty long iron links in a row as though to make a chain. Each link represents a lifetime in a line of descent, and fifty generations are expressed. In order to make a continuous chain, it matters not whether we connect all at once by entail, or whether we connect them one at a time by the forms of a modern will, for the real effect of both is to project the power acquired for a lifetime by human effort into the future, and to confer its privileges upon other men who have not made such efforts, thus becoming the source of tyranny, idleness, and social corruption. Entail established the dead man's power over many succeeding generations at once, and theoretically over all. The testament establishes his power over the next generation and appoints an agent to carry it into effect, the control being further extended into the future by other wills. The process is identical in its nature with entail, and many of the evils of the discarded doctrine of property apply to the one still retained.

The apparent similarity between a gift and a bequest confuses the thoughts of many people when they con-

sider these two acts, and it has led Mr. Spencer to argue that a bequest is just because it is only one form of a gift. If, however, the real nature of equitable property is that of a life-lease, as herein argued, it is obvious that the right of gift is justly controllable by the community at its own pleasure and for its own interest. A moment's reflection will also show that the particular form of every act or the circumstances surrounding it and not its general nature make it either right or wrong. For instance, murder is one form of homicide, but we honor the brave man who protects injured innocence by slaying the persecutor, while we condemn to ignominious death the man who destroys the life of a human being from motives not pleasing to our moral sense. Any man is accorded the right and is even burdened with the duty of snatching the knife or pistol from the hands of a prospective suicide, and of destroying either weapon if need be to protect the life. Yet these acts, under a different intention or motive, would become assault and theft, and society would inflict penalties. Ordinarily a man may burn his own property, but if it be situated so that the fire necessarily consumes his neighbor's wealth, the deed is arson and society jails him for his presumption. Similarly, if one man owned New York City, it is very doubtful whether society would permit him to expel his tenants and destroy the wealth under the assumption that it was absolutely his own.

The circumstances surrounding any act, in the judgment of humanity, make it either good or bad, just or unjust. When a man premeditates homicide from some selfish or vindictive motive, it becomes murder. When he burns his own wealth without a sufficient regard for the rights of his associates, the otherwise harmless act becomes arson. When he gives his wealth to another man at the expiration of his own life, because he knows it will be of no further use to him, the gift becomes a bequest; and

there is quite as much difference between the real nature of the two acts as there is between justifiable homicide and murder, or between burning a handkerchief and setting fire to a house in a crowded city. Gifts are usually considered praiseworthy, and homicide is considered blameful; yet some forms of homicide become praiseworthy, and some forms of gift dangerous and reprehensible.

Men give away very little wealth during their lives, because they love themselves better than they do other people, and, as Judge Thomas shrewdly observes, they would not often show any great liberality in their wills if they could do anything else with the wealth or better extend their influence in any other way. The genuine gift deprives a man of wealth which he might otherwise use or control, but the spurious gift in the form of a bequest deprives him of absolutely nothing, and all that he gives away is really the property of survivors. The testator does not give up any rights of his own in making the will, but merely sacrifices the rights of a portion of the survivors by arbitrarily designating his own successors. As the intention of the homicide makes his act murder, so the expectancy of death makes the act of the giver a bequest, and the nature of the act is governed by the attendant circumstances and not by the mere assertion that because a man can equitably give away property during his life, he can equitably give it away at his death, which is no more reasonable than the statement that because William W. Astor can rightfully burn his yesterday's newspaper he may also set fire to every building he owns in New York City.

A modern will does not go into effect until the testator is dead. At the instant his life passes away, his rights go with it, and there remains nothing that can be justly transferred by his power to anybody. Even if the transfer is made before his death and in immediate expectancy

of that event, the act has still the nature of a transferral of rights that belong to all survivors and not to the deceased. Society should lease wealth for life to the individual and settle the score at the close of his existence.

The consideration of patents and copyrights is interesting in a comparison of these forms of wealth with other property, for in these two kinds of ownership a radical departure has been made from the rigid doctrines of property. When a man invents a new machine or copyrights a book his moral rights in the mental conception thus evolved and in the arrangement of the ideas expressed is certainly, in all fairness or justice, as complete as human rights can become to anything on earth. A new thought is of all human products the nearest to a genuine creation, and is somewhat different in its apparent nature from the mere physical transformations that are made the basis of property, although a close analysis will show that all are identical in their real nature, notwithstanding the fact that the invention seems to be more genuinely a production. Yet a man acquires a perpetual right or monopoly over a piece of land, while he can acquire only a limited right to the control of the machine he invents, for his patent expires after a few years. Similarly a man can claim only a limited right of controlling the use of his ideas in the form of a book, but if he chooses to devote the same effort to acquiring a pork-packing establishment in Chicago, or developing a gold mine in California, no restrictions are placed upon the perpetuity of his claims. Man and material possessions are, "now and forever, one and inseparable;" but the same doctrine does not apply to the products of his brain.

Will some Spencerian philosopher now explain which method is right and which wrong? It is either just to make patent-rights and copyrights perpetuities subject to bequest and inheritance, or it is wrong to permit other

kinds of wealth to be owned and transferred by these expedients to successors. It is not likely that men of the present day will be prepared to admit that the perpetuity of James Watts' claim to the steam-engine, or Elias Howe's right to the sewing machine, appearing in the person of their descendants or legatees, would be exactly an equitable method of adjusting human rights, so it may be that eventually they will recognize the truth that no form of human privilege should have more than a temporary existence, and that all rights should terminate at death. Patents and copyrights are now issued for the period of an average lifetime, or less, and are not only equitable, but desirable in their economic effects, while if they were established as perpetuities, they would become unbearable tyranny.

The curse of perpetuity hangs over all governmental institutions, and in this way the dead past is forever binding the present. To illustrate this idea, we have the Constitution of the United States. It was an agreement made between the people of thirteen little colonies existing more than one hundred years ago on the eastern coast of this country, then about one-tenth of its present size in the area inhabited and containing a population of about three millions. Those people wrangled with one another over the exact nature of their political agreement, and were actuated far more by selfish desires in formulating the famous document than by the patriotism usually ascribed to them. When they had completed that patchwork of concessions and compromises, they pronounced their work holy and sent it down to posterity with a provision embodied within it that its binding force could only be changed by a vote of two-thirds the representation in Congress and ratification by the legislatures of three-fourths of the States. To-day there are seventy millions or more of people living under that Constitution,

yet they cannot legally change it to conform to their desires except by practical unanimity. They are tied politically and socially (so far as tying can really be accomplished by such methods) by the absurd idea of their predecessors, that they could make among themselves a bargain for all time which would express not only their own desires, but the desires of their posterity. The result of this original fallacy is now displayed by the absurd condition of the country in attempting the imposition of an income tax. The people as represented in Congress declared that they wanted such a tax. The Supreme Court, by a vote of five to four, declared that under their Constitution the people could not levy such a tax, and the decision of one man controls the course of seventy millions of people in regard to property involving many millions of dollars. Meanwhile the people are discontented, but they cannot change their Constitution nor levy income taxes, if they really desire that form of taxation, without the tedious process of altering the organic law bequeathed to them, a change which involves the control of three-quarters of the states. Meanwhile, suppose that discontent progresses till a majority of the people, or even a large minority, becomes dissatisfied to the extent of revolt. The result, traceable directly to the perpetuity embodied in a "paper constitution," which never did and never will bind men in any country if they find themselves wronged, may be found in the horrors of civil war. The people of the United States need to amend their constitution by providing that all future amendments may be adopted or rejected by a direct vote of the people and submitted by a majority vote of Congress. The author of this book is not an advocate of income taxes, but the people must govern themselves and not be governed by their ancestors. Right or wrong, the majority of the people in any country will rule, and it is better

that they rule peaceably than by violence. If the people desire income taxes or any other form of legislation, it is suicidal folly to repress or obstruct the expression of the popular will by means of the ancient dicta of the Constitution, for that course means, in the end, armed revolution.

CHAPTER XVII.

LOOKING ON BOTH SIDES.

Spiders can spin, Beavers can build and show contrivance; the Ant lays up an accumulation of capital, and has, for ought I know, a Bank of Antland. If there is no soul in Man higher than all that, did it reach to sailing on the cloud-rack and spinning seasand; then, I say, Man is but an animal, a more cunning kind of brute; he has no soul, but only a succedaneum for salt. Whereupon, seeing himself to be truly of the beasts that perish, he ought to admit it, I think;—and also straightway universally to kill himself; and so, in a manlike manner, at least, end, and wave these brute-worlds his dignified farewell!—THOMAS CARLYLE.

It is but fair, in treating of the social troubles and the principles of heredity as applied to wealth, to consider the objections that are likely to be urged against the changes that have been advocated in this volume. Society has nothing to gain from blind and bitter partisans, no matter what position they occupy in the discussions now going on in every great nation. We do not need to engender bitter animosities, but we *do* need to consider what seems right and what wrong in our new social relations, and after such consideration to firmly demand what appears to be the best for permanent good, for otherwise society will inevitably become wrecked and individual welfare endangered in the general ruin. The man who, in periods like the present, maintains a purely selfish view of his own individual existence, to the extent

of refusing to acknowledge any duty to his fellow-creatures, is wise only in his own conceit ; for the penalty of greed and tyranny must, sooner or later, be completely paid. All of us need to look on both sides of the shield.

The most complete objection that is urged against interference with successions or any other attempt to lessen centralization in wealth comes from the man who contends that centralization is in itself a desirable thing and not the evil that popular sentiment imagines it to be. Men who hold this theory are intelligent and usually have an accurate knowledge of recent economic history, whereby they are able to show the progress of our vast industries from their small beginnings. They can show how the immense wealth aggregated in a single great industrial establishment has vastly cheapened production, out of which society receives in some form the resulting benefits of economy. They prove conclusively that a great railroad system is cheaper in operation than many small lines under separate ownership, and they show the gain to society in many dollars and cents. They prove to any candid man familiar with business methods that the great trusts and syndicates which now excite the wrath of the more superficial observers by their tremendous aggregation of business, are not bleeding the pockets of the people, but are really cheapening production and obtaining their power in that way by driving out weaker and consequently less desirable, because less productive, competition. Even the Standard Oil Company, from the economical view of these advocates of wealth centralization, is a corporation comprising industrial angels in the form of human beings. These gains in economy are admitted. Some notorious rascality has been connected with the formation of trusts, but the greed and tyranny therein displayed are not greater, except for the magnitude of the financial operations, than thousands of men

unheard of display in minor business transactions of everyday life. There is no difference between the principles that make the trust and the principles that govern the transactions of a peanut-stand at the street corner, the only distinction being in the extent of the business transacted. It is true that all this aggregation of capital has cheapened production, increased wages, shortened the hours of labor, and enabled laborers who call themselves paupers now, to live better than princes could five hundred years ago.

Why, then, do you oppose wealth concentration? the reader will inquire. Simply because mere wealth is not all of life, and because some of man's aspirations are higher and nobler than a perpetual pursuit of the almighty dollar. If the accumulation of social wealth be all that men desire, their existing social system is a success; for the vast productive effort of modern society is storing up every year an unconsumed surplus, from which results, in the industrial depression, that harvest of leisure which is the only reward that man can ever gain from increased productive ability, even if he succeeds in combining the chemical elements directly into food, or in converting the wave-power of the ocean into electrical energy, or in immediately converting beds of stone into blocks of bread and cheese. At the end of every existence the individual has used a certain amount of food and clothing, and enjoyed or not enjoyed a certain period of cessation from productive effort. That result sums his economical existence. In the period of industrial depression, the rich obtain this cessation from productive effort in the form of stagnated business among the active, and a frivolous leisure in "society" among the idle; while the poor obtain it in Coxey armies, and in searching the country for work that does not need to be done.

The otherwise clear reasoners who admire the existing

system are mammon-worshipers. Social existence to them is a matter of dollars and cents. If a system succeeds in storing wealth, the ends and aims of society are secured, according to their theories, no matter what the attendant circumstances may be. The real reason why uncontrolled wealth centralization is an evil, is not because the exceedingly rich man impoverishes his neighbors or the people in general, for no such result occurs in society. It is evident that the millionaire consumes but little more than the pauper, and that social wealth in the form of food and clothing is ultimately devoured or worn by the whole people without much distinction in riches.

The evil of extreme personal wealth is in the possession of power, for the rich man may be, and often is, a tyrant. It would be cheaper for this nation to abolish its congress and its legislatures in order that President Cleveland, with a vastly increased salary, as dictator of the country, might simply announce its new laws, instead of continuing the present expensive and uneconomical method of assembling the people to vote for representatives or on special propositions; but in spite of the immediate and evident economy, it is not to be expected that the people will desire such a change. It is also not probable that they will continue to permit the power of immense wealth to be placed in the hands of successors who have not earned it, who have not proved their ability to handle it for the real interests of society, and who expect to become dictators in our midst without ever having displayed any of the talents and principles that should characterize a dictator, granting that in some instances it is necessary or beneficial to have one. The succession to wealth is not particularly an economical question, but one involving the liberties of the people and their right to control property instead of permitting it to control them. An absolute monarch in his immediate cost is cheaper

than a republic, and it is easier and simpler to permit his eldest son to succeed him than to incur the trouble and expense of an election. In a similar sense, Colis P. Huntington, as sole proprietor of an aggregated railroad system, combining every line in the United States, would unquestionably transact our railroad business more expeditiously and economically than it is now being conducted ; but do we really desire to place that much power irrevocably in his hands, and, if we do, are we also willing that he shall name his own successor to such power, or that some accidental person bearing the same name shall succeed him? It is not a question of profit to society, for we have wealth enough, but it is a question of governing ourselves or permitting the wealthy families of the nation to govern us. We must decide whether man was made for wealth, or wealth for man.

The man who accumulates a great fortune honestly is a benefactor to society. Sometimes he is unintentionally a benefactor, even though he accumulates dishonestly, for he is a check on the spendthrifts by whom the world would be kept poor. Mr. Huntington, for instance, whether honest or dishonest, understands managing railroads, and he labors more faithfully every day than either the writer of this book or most of its readers. When he reaches the end of his existence and looks backward, he will see that he has really labored for society, possibly in spite of his own inclinations, and that he has neither consumed any considerable portion of his vast possessions nor obtained the ability to carry them with him into another world. In one sense of the word, he will have been a social slave quite as much as any other man. People ought to be willing that Mr. Huntington shall be a great railroad manager, for in the end he is their servant, though he sometimes makes himself temporarily their master. He is an economical success, and he is a more efficient manager than

they could select otherwise than by competition ; but his ability is no guarantee that his heir will possess the same qualifications, or that the person to whom he may transfer his power at death may be in any great degree efficient or valuable to society in that capacity or any other occupation involving the control of a great fortune. The possessor of a great fortune accumulated by his own efforts should be regarded as the trustee of the people, selected for that position after having proved his superior ability to fill it by the rigid tests of competition, and authorized to hold it for life ; but it is difficult to perceive any justice or wisdom or even social economy in the idea that he shall be permitted to transfer the trust to another person at his death, who may be entirely incompetent and unworthy of such public power. Whether the extreme aggregation of wealth under individual control is good or evil depends upon the view men take of life. If the sole object of social organization is to produce wealth, then, in the name of productive efficiency and of that wealth-god whom we all adore, let us convert our nation into an army of serfs under a single wealth-owner whose economic ability is proved to be pre-eminent, and who will thoroughly comprehend how to manage the useless surplus of society, even if he do not have the least conception of any other human aspiration. But if the real object of society is to make a happy, contented people, satisfied in busy, cheerful efforts to improve their mental and physical condition, having not only work to do but the desire to do it, hopeful of the future, grateful to whatever mysterious power they believe controls their destinies, and raised above mere brute existence by tolerant and kindly feelings toward one another, then let us subordinate the mere accumulation and storing of wealth products, which are as worthless as the sands of Death Valley unless they be adapted to and used for human consumption, to a more

rational control and a more equal division of human effort and opportunity. Industrial profits will never compensate men for the loss of liberty and the destruction of self-government.

Society in its present condition may be compared to a train of cars headed by a great locomotive in which the machinery has become disarranged so that the motive power is no longer under control. The train is plunging furiously along its roadway, impelled by a tremendous power and constantly increasing its speed. In the distance, far ahead of the rushing train, the track diverges into two branches. One of these leads into a great valley, quiet and peaceful in appearance, fertile in its wealth resources, and scarcely changing in its level surface from its beginning as far as the eye can reach. The other road winds in and out among hills and narrow valleys, now ascending to dizzy summits, now descending swiftly into some deep cañon into which the light of heaven scarcely penetrates. Traversing this road involves a journey difficult and dangerous at times, but one characterized by continual novelty and a variety of scenery that is lacking in the more uniform surface of the great valley. To a portion of the travelers on the moving train the level country appears to be a paradise, and the alternation of hills and valleys a hideous waste. To others among their associates the uniform surface seems dreary and monotonous, while the mountainous region, with all its difficulties and dangers, is to their tastes only pleasantly diversified. Each group disputes with the other concerning the relative advantages of the different regions, and each fears an existence under physical conditions that are detested. Meanwhile the locomotive increases its speed, freed from all human control, and the real danger is not in its future progress into the land of co-operation on the one hand, or the land of competition on the other, but in the increasing

momentum which may at any moment hurl the train from its roadbed and involve all the contestants in the catastrophe of social destruction.

The plan of subordinating wealth succession to the absolute direction of the people is a means of controlling our social progress so that the possession of wealth may be regulated to some extent by the community that produces it. It is the lever with which we will control our unruly locomotive. With the firm establishment of the principle permitting a life possession of wealth and nothing beyond that right, society is prepared either to continue under a more rational competition than now exists or to transform itself gradually by the public absorption of estates, into whatever additional forms of socialism may be of real benefit, as rapidly as human nature and its environment are prepared for the change.

It should, for instance, be evident to any thoughtful mind that the process of consolidation among railroad companies into the great systems of the United States, which has been going on steadily, owing to the natural laws of competition, destroying the weaker competitors and aggregating the business under the control of a few, in spite of the protests of the people and contrary to the original expectations of the competitors, will continue until all, or nearly all, the railroads in the country are practically under one management. At a recent session of Congress, a bill passed the lower house enabling all the railroad companies of the United States to form a great trust, at their own desire, making the United States government the trustee, and providing for the regulation of fares and freights by the Inter-State Commerce Commission.¹ If that proposition be carried into effect, it may form the connecting link in the transition of the railroads

¹ See "Steps toward Governmental Control of Railroads," by Carroll D. Wright, in *The Forum* for February, 1895.

from private ownership to State Socialism in its application to this form of property ; but the great trust would be a very dangerous institution under our present laws and the condition of public sentiment. Railroad regulation by a commission, if its future history follows the lines of the past, would convince the people of the United States, under such a system of transportation, that the railroad owners were controlling the government instead of the government controlling the railroads. With all the railroads thus aggregated in a great combination, the railroad employes would become united in an immense labor organization, against which the power of the government as trustee would necessarily be turned in case of a gigantic strike. Our national government would thus be placed in the position of directly upholding a gigantic corporation, and the extreme irritation that would result from a great strike in which the laborers directly interested would be backed by millions of sympathizers under such circumstances, might precipitate an armed conflict more speedily than even our greatest pessimists expect such a calamity.

Sooner or later, the railroads of the United States will go into the hands of the people, as naturally and inevitably as water flows to the sea, in spite of all that can be done to prevent the change. The only real question is how that change shall be accomplished. Under existing laws the railroads must be bought, or in case of a social crisis they may be confiscated, as the slaves of the Southern people were confiscated. Buying the railroads is no real solution of the problem, for the same monopoly of wealth would still exist in the form of bonds or other possessions, and the mere proposition to buy them is apparently astounding to national financiers. On the other hand, they will not be confiscated except by the summary processes of armed revolution. The proper solution of such

difficulties, it would seem, lies in an attack upon heredity in wealth. The ownership of railroads vests usually in extremely wealthy men. No matter how much enterprise, industry, ability, prudence, or benevolence has been displayed by these men in the accumulation or management of their property, the same desirable qualities are not necessarily or even probably inherent in their successors under the present system of successions ; and it cannot be maintained that either the permanent interests of society, or justice to the individual, two things which are always identical in their real nature, demand the continuance of the imperfect methods of the past, which, although at one time adapted to the needs of society, are no longer in consonance with either the spirit of free government or our present economical system. If it is right that the people shall have no voice in the selection of their great railroad kings, then, for the sake of a desirable consistency, let us authorize the Justices of the Supreme Court of the United States, who now serve for life, to bequeath their offices to successors when they die, or, in case they fail to bequeath them, let us empower their sons to succeed as judges.

Wills and inheritance have always been subject to modification, and the means of correcting the real abuses of private ownership are thus easily within reach of the people, who need to attack the heredity of wealth power as their forefathers of 1776 attacked the heredity of political privileges. It should require no proof to convince any reasoning being that one form of power is as dangerous as the other.

A common objection to the destruction of wealth succession is embodied in the plea of those who urge that the privilege of disposing absolutely of property at death is a stimulus to human effort, and that men will refuse to labor and accumulate wealth if their privileges are

restricted, the result being that society would become impoverished and lose the immense advantages of capital. The same objection was made in England when it was proposed to abolish or restrict the privilege of entail, and its fallacy was exposed by the conditions which have succeeded the abandonment of entail all over Europe. Men now work with more energy than ever to accumulate wealth, in spite of the fact that they can no longer dictate the use of land for generations after their decease. In France the same fallacy is exposed, for the Code Napoleon so restricts the right of bequest, by requiring almost an equal succession among the children, that the parent frequently declines to make a will; yet the industry of the French people is not lessened by the restriction in personal privilege.¹ When society, by the method of distribution herein proposed, guarantees that every man's children, or others having real claims upon his possessions, shall be equitably treated after his death, he will have nothing to discourage industrious effort in that condition unless he is a tyrant at heart who desires the privilege of dealing out wealth inequitably when its disposition can no longer affect him. The whole idea of withdrawing a stimulus to industry by interfering with the ultimate disposition of wealth is a fallacy, however, when it is applied to a fortune of any great value. The truth is, that except among comparatively poor people the accumulators of wealth are not stimulated by any idea of assistance to their descendants, nor even of real benefit to

¹ A great historian after exposing and denouncing the greed and corruption of the European clergy in the fourth, fifth, and sixth centuries, and showing their vast accumulation of wealth in spite of their celibacy, closes his comments with the following words, illustrating the usual fallacious belief that men derive happiness from the results of action rather than from the action itself: "Such rapacity might seem incredible in men cut off from the pursuits of life and the hope of posterity, if we did not behold every day the unreasonableness of avarice and the fervor of professional attachment"—Hallam's "Middle Ages," Chapter vii.

themselves derived from the possession of wealth. After a moderate amount of wealth represented by a comparatively few thousands of dollars is accumulated, any man knows that, so far as wealth is concerned, his real interests and the interests of his posterity are as well and often better secured by moderate means than by the control of a great fortune. This is proved by the restrictions that many millionaires throw about their wealth in wills, purposely to prevent the use of money in amounts too great for the supposed welfare of their children. It is a common remark among all classes that the possession of great wealth, especially when secured suddenly, often proves to be a curse instead of a blessing, and that the millionaire can derive no real benefit from his wealth after he has acquired it. What, then, is the real motive that animates the accumulators of large fortunes ?

It is indicated in a conversation said to have occurred with Philip Armour of Chicago.¹ The continued pursuit of wealth by men who are already wealthy, is not due to any desire of making future provision, either for themselves or their offspring, but to the fact that they enjoy

¹ "A Chicago journalist one time said to Mr. Armour, 'Why do you not retire? You have made far more money than you know what to do with. Even if you slept round the clock, money would still come in, more money than what you could use. Why cannot you get out of it all and leave the field to younger men? Why not give them a chance? You overshadow everything, monopolize everything in the place, and we have only one great butcher in the place of a thousand little ones. You have made your pile, why not clear out?'

"Mr Armour listened patiently, as he always does, and answered, 'Because I have no other interest in life but my business. I do not want any more money; as you say, I have more than I want. I do not love the money; what I do love is the getting of it, the making it. All these years of my life I have put into this work and now it is my life and I cannot give it up. What other interest can you suggest to me? I do not read, I do not take any part in politics, what can I do? But in my counting house I am in my element; there I live, and the struggle is the very breath of life to me. Besides,' he added, 'I think it is well for me to remain in business in order to set an example to younger men who are coming up around me.'—WILLIAM T. STREAD.

the increase of power and fame that invariably accompanies the possession of great wealth, and because they would rather conduct their business affairs and speculations than to engage in any other occupation to be found on the face of the earth. Heaven is to them a field of intense activity, and hell is idleness. If any business man who has accumulated a large fortune, will candidly analyze his motives in continuing to do so, and truthfully express his conclusions, they will be found to correspond very closely with Mr. Armour's assertions. The genuine captains of industry pursue dollars as the sportsman follows game—for the pleasure there is in the chase and capture, and not for any other supposed benefits to anybody. Nearly all men of this class spend their lives in the pleasure of wealth accumulation, deriving a satisfaction from forming their plans, from putting them into execution, and from receiving and controlling the results ; but beyond this pleasure of plan and acquisition they obtain little happiness from what is generally termed the use of wealth, in affording leisure and recreation. Rest and luxury as pleasures are to these men incomprehensible. Their happiness is in work and action, and they seek their own form of pleasure, no matter what the final results in the disposal of the property may be, although they will retain their hold on it to the last instant of their existence, and control it after death if society will permit them to do so. Such men, although often intending to be the best of husbands, fathers, and friends, will frequently neglect their wives, permit their children to grow up strangers to them, and omit all friendly association, merely because they have no time to spare from the rush of business activity. They have no more thought concerning the real use of their accumulations than enters the head of the tame magpie which fills its garret-home with all discoverable odds and ends that can be carried thither, and, like the

magpie, their happiness is derived from action and not from its results.

Other men are not different except in seeking different occupation. One man undergoes fearful dangers and hardships to discover the north pole, regardless of what he will do with it; another spends his life and ultimately starves in a garret daubing colors upon canvas; a third sits dumb in reflection and studies the intricacy of some marvelous invention; a fourth diligently uses his days and nights in constructing some wonderful bit of poetry; and the fifth finds a charm that words cannot express in collecting bugs. Similarly, the man of business instincts derives a satisfaction from his pursuits that he can obtain in no other way, and so long as he is permitted to pursue that happiness and collect his dollars, he will do so regardless of what is done concerning the future disposition of the product, as the man who collects bugs is not greatly concerned about the ultimate disposition of his cabinet. The idea of ultimate use or enjoyment is not a factor in promoting the industry of the money collector; he works because he would be miserable if he tried to enjoy his wealth by using it in travel, luxurious living, or mere pleasure-seeking among what he really considers the frivolities of life. The luxurious use of wealth is almost invariably the concomitant of an inherited privilege.

It is further urged by many that all laws imposing severe restrictions on the right of bequest would be useless from evasions, as wealth would be given away before death. A similar objection can be made against all laws. It is not desirable that any changes whatever shall be made in our laws till a strong moral sentiment involving the majority demands new principles, and under our form of government that majority will have to be gained before any new laws can be recorded. It is true that no law can be enforced unless sustained by a

strong public sentiment, but it is equally true that a strong public sentiment can enforce any laws that are desirable. The writing of this book is an effort to manufacture public sentiment and not immediately to make laws. When such sentiment is secured in favor of changes, the restrictions will be made as rapidly as the people approve them, and they will then enforce their laws of succession with no more evasion than attends the enforcement of all other laws.

The idea that the restriction of bequests could be evaded by gifts is at first thought plausible, but the difficulty of such evasion becomes apparent on closer examination. In the first place, people are not willing to deprive themselves of the control of property during health and give it to successors, even if the latter be their children. The propositions are very different, to contemplate on the one hand the giving of what one may need, and on the other, the bequeathing at death of what one knows will never be required. Deathbed gifts and other gifts are entirely different in their nature, for there is a sacrifice in the last but not in the first. Besides the fact that no human being is usually willing to abandon his control over his own possessions unnecessarily, the moment of death is uncertain. Children frequently die before their parents. If wealth be given to a child and it die before the parent, all surplus value beyond the limit of inheritable wealth would immediately revert to the state and be lost to the giver. On account of these conditions, gifts would not prevail more than at present except in case of dangerous illness. If then the validity of gifts were made to depend upon the apparent expectancy of the giver, and if in all cases where an effort to defeat the will of the people could be shown the entire estate reverted to public ownership, there would be few attempts to evade the law under

such penalty, when supported by a strong public sentiment.

The emotional person in whom parental affection predominates over other feelings, may, perhaps, regard the advocate of any serious restriction upon the succession of children as a social monster who would deprive widows and orphans of the only protection left to them after the death of their natural protector, and who, by permitting wealth to escheat to the state, would place it in the possession of those who cared nothing whatever for the dead man. To many kind-hearted people there seems something outrageously harsh to the children in any plans restricting inheritance. The best answer to these ideas is an imaginary case.

A certain family comprises the husband and wife, possessing community property worth \$1,000,000, and having three children, two sons and a daughter. Under one form of existing laws, the husband at death may bequeath \$500,000, and his wife retain her one-half of the communal property. If he die intestate, the wife will retain her communal half, and will inherit, in addition to that portion, one-third of her deceased husband's interest, the other two-thirds being divided equally among the children. The head of the family is a choleric gentleman, who in old age has become exceedingly irascible. His youngest son is a "chip from the old block," and resents domineering manners. After a sharp conflict with parental authority and some disrespectful language addressed to his sire, this son leaves home at the age of twenty years and disappears. Soon after this occurrence, the father falls sick, makes his will, and dies. The document disinherits the offending son, and bequeaths \$500,000 to his elder brother. The daughter receives merely the dying man's blessing and a few keepsakes, for it is understood that she is to become her mother's legatee. The

mother, hearing nothing from her runaway son, makes a will entirely in her daughter's favor, but the latter, falling in love with a young man, as her mother did before her, marries him against the maternal wishes. The result is a hasty change of the will in favor of the elder son, a sudden death, and the absolute disinheritance of two children, whose worst faults were those of being extremely self-willed, like their progenitors. We will not trace the case any farther to see whether the disinherited son and daughter contested the will; to ascertain whether or not they proved that both of the parents were insane or subject to undue influence; to discover how many attorneys were employed in the trial; nor even to calculate what small fraction of the estate was left after the lawyers collected their fees and paid the expenses. It is sufficient to note that the whole condition of modern will contests is one of absurdity.

There are numberless cases approaching more or less closely in their circumstances this supposed instance. Between heirs and ancestor there is necessarily a conflict of interest. If the succession is established in a fixed line, and bequests are abolished, heirs become undutiful. If the power of making bequests is absolute, parents become tyrannical. All laws hitherto adopted have approached one or the other of these extremes, and the only equitable course is to adjudicate between the conflicting interests, exactly as if no relationship existed, and to determine the rights to property by independent and disinterested decisions, which is the method that is herein proposed. This method of providing for successions is also connected with the restriction of fortunes that may be acquired by descent. Suppose, for instance, that a law abolishing bequests and limiting inheritance, restricts the total amount of wealth that can be inherited from a single decedent to \$300,000, and also restricts the amount

inheritable by a single person to \$200,000. Such a law applied to the preceding case, would, in the first place, prevent the father from arbitrarily disinheriting his son. All he could do at death would be to file his testimony in relation to the estate, and recommend, if he desired, that a distinction should be made between the son who remained at home and the one who went away. Perhaps he might desire that, of the \$300,000 of inheritable wealth, the son at home should receive \$200,000, and the daughter \$100,000; but if, on hearing further testimony, the court were convinced that these desires of the father were unjust, it would peremptorily order the estate distributed in another way, either making an equal division among the children, or apportioning it, for example, by giving the elder son \$150,000, the daughter \$100,000, and the youngerson \$50,000. This personal distribution of the inheritable wealth having been made, the surplus of \$200,000 from the father's estate would go into the public treasuries. On the death of the mother, the same process would be repeated. There could be no arbitrary or unreasonable disinheritance, but on the other hand any serious neglect of filial duty, or failure to assist in family wealth-production, would subject the child to the just penalty of loss in the inheritable portion of the estate. Ordinarily the dying statement of the parent would be regarded as the best evidence, but if heirs appealed from its statements, it would not then be necessary, as now, to make a sham contest on the absurd grounds of insanity and undue influence, a fiction which is even now well established in the courts, and which is transforming the whole nature of probate decisions. By varying the amount of inheritable wealth, unearned fortunes could be liberally or closely limited, and held entirely within the power of the people, according to their needs from time to time. Under such a law, there would be no injustice to the heirs of wealthy

parents, for they would receive far more wealth than they usually earn, even if the inheritance were limited very closely ; and in the distribution of property involved in small estates among the families of the great body of the people, there would be no real change from the present laws, except that the decree of a court after the hearing of testimony would supersede the declarations of the will and the present decrees based upon it.

Will any candid reader after comparing the two systems of distribution here described maintain that the restriction of inheritance involves injustice to successors? Is not that restriction, instead of injustice, a check upon the tyrannical power of the dying man ; a check upon the unreasonable expectations of heirs to receive great fortunes without producing them ; a check upon the neglect of parents by their offspring ; and, finally, a check upon that strong tendency toward the development of an aristocracy that is now discoverable in this country ?

If we are to express sympathy for disinherited children, let us remember the thousands and the millions who come into the world, inheriting nothing but rags and poverty—sometimes not even a name. They are not willful intruders upon our domains, for no desires of their own placed them on earth, to harass by their hungry cries, or anger by their bitter threats, its more fortunate occupants. What shall we do with them? Humanity is not willing to follow Dean Swift's advice and serve roast baby at the banquets of the privileged class, as the most economical solution of the difficulty, but we can only take our choice between a few methods of procedure. We can destroy the outcasts ; we can make slaves of them ; we can support them in idleness as beggars tramping from door to door ; or we can do right and afford them a fair opportunity to maintain their own existence by their own labor. It is not charity, but merely justice to de-

clare this principle. As human beings, and not mere brutes, we have no moral right to monopolize the opportunities of earth as a home, while other men suffer amidst plenty in the hands of their associates because they are debarred from the privilege of earning their own living. *Æsop's* fable of the "Dog in the Manger" is a story that the disinherited are reading to us every day, for the wealth of society is not consumed, and we can neither produce more ourselves, nor will we let other men produce it for their own consumption.

The solution of the land question would be embodied in the control of inheritance, for, at the death of every owner, all lands in his possession would have to pass again through the hands of the public for redistribution instead of being tied up as now, under a perpetual monopoly. All titles to land should date absolutely from the last decree of the Court making a distribution at the death of the owner, and the destruction of the ancient principle of heredity in occupancy would, in the future, prevent such absurd doctrines of property as are involved in the famous lawsuit of Myra Clark Gaines against the city of New Orleans, in the contest brought by the heirs of Anneke Jans to recover the ground covered by Trinity Church, and in the French Spoliation claims, under which the descendants of people who lived two generations in the past claim damages of their associates in the present, because their ancestors were presumably injured by our ancestors. The records of land titles, under such a change, would become useless in a legal sense after the death of every owner and the distribution of the property, for the new title by the authority of the whole people in existence in the nation would rightfully supersede all the decrees of dead men, and become the only foundation for a man's claim to possessions not immediately derived from his own exertions.

The destruction of aristocracy is another great benefit that would unquestionably arise from the proposed measures. It has already been indicated that inherited wealth is the cause of the formation in society of a small privileged class, whose members look down with contempt upon the herds of plebeians surrounding them, and who imagine that in the mysterious future a special heaven is set apart for people of their ancestry, education, and culture.

Wealth aristocracy is really the only kind of aristocracy that ever existed in the world. Hallam explained its development when he wrote :

“But the essential distinction of ranks in France, perhaps also in Spain and Lombardy, was founded upon the possession of land, or upon civil employment. The aristocracy of wealth preceded that of birth, which indeed is still chiefly dependent upon the other for its importance. A Frank of large estate was styled a noble ; if he wasted or was despoiled of his wealth, his descendants fell into the mass of the people, and the new possessor became noble in his stead. In these early ages, property did not very frequently change hands and desert the families who had long possessed it. They were noble by descent, therefore, because they were rich by the same means. Wealth gave them power, and power gave them pre-eminence. . . . The possessors of beneficiary estates were usually the richest and most conspicuous individuals in the estate. Their sons now came to inherit this eminence ; and as fiefs were either inalienable, or at least not very frequently alienated, rich families were kept long in sight ; and, whether engaged in public affairs, or living with magnificence and hospitality at home, naturally drew to themselves popular estimation.”

Sir Henry S. Maine also pertinently alludes to the origin of aristocracies in the following language, referring to the ancient Celts :

“Whatever else a chief is, he is before all things a rich

man, not, however, rich, as popular associates would lead us to anticipate, in land, but in live stock—in flocks and herds, and before all things in oxen. In the later Greek literature we find pride of birth identified with pride in seven wealthy ancestors in succession. You are well aware how rapidly and completely the aristocracy of wealth assimilated itself in the Roman state to the aristocracy of blood. In ancient Ireland, Bo-Aire was literally the 'cow nobleman,' and he became an aristocrat after getting rich by raising cattle."

Somewhere in his famous work on American institutions, De Tocqueville alluded to the hatred with which our people would regard the formation of an aristocracy. The time has now come in which they will have to choose between the continuance of an aristocracy in their midst and the destruction of unlimited succession to wealth, which is the cause of that aristocracy. It is absurd to speak of aristocracy as though it were merely a thing of the future, for it is already here except in name. Its members do not assume titles, but titles do not constitute an aristocracy, for it is merely a privileged class based upon the succession to unearned wealth and retaining the power that inevitably accompanies that possession. Its political and social privileges are secured indirectly instead of being formulated in our laws, for wealth is the only basis that any aristocracy ever had, the poverty-stricken nobleman of Europe to-day being an insignificant creature fit only to marry an American heiress. Viewed from any standpoint, moral, political, or economical, the existence of wealth-heredity is a curse. It debauches the men and women of its own class with idle luxury and false ideas of life. It embitters the poor by contrasts with their own condition and the perpetual spectacle of the successors to wealth obtaining something for nothing, and then demanding a different morality for other human beings. It fastens upon the community a swarm of parasites who

in their social inanities and tawdry shams of existence are a greater nuisance than the equally worthless tramps that afflict the lower portions of the social scale. By luxurious existence, as an illustrative instance, these heirs compel some human creature or creatures to labor for two thousand days making a piano stool, when a more just distribution of the wealth of society would have given the workmen leisure to construct a large number of cheaper piano stools for themselves. Aristocracy is decay in the heart of society, and ultimately it weakens the whole structure or permeates it with the nasty rottenness discoverable in England among the idle sons of that notoriously profligate class of privileged heirs. The development of the same things in our own country, where those people who habitually mistake forms for realities, have believed that all patriotic and wise legislation was completed by the adoption of our Constitution, is inevitably leading us to that condition described by Carlyle in his sorrowful, scornful words :

“We have an aristocracy of landed wealth and commercial wealth, in whose hands lies the law-making and the law-administering ; an aristocracy, rich, powerful, long secure in its place. . . . Mammonism, as we have said, at least works well ; this goes idle. Mammonism has seized some portion of the message of Nature to man ; and seizing that and following it, will seize and appropriate more and more of Nature’s message. But Dilettantism has missed it wholly. . . . A High Class without duties to do is like a tree planted on precipices ; from the roots of which all the earth has been crumbling. Nature owns no man who is not a martyr withal. Is there a man who pretends to live luxuriously housed up ; screened from all work, want, danger, hardships, the victory over which is what we name work ;—he himself to sit serene, amid down-bolsters and appliances, and have all his work and battling done by other men ? And such man calls himself a *noble*-man ? His fathers worked

for him, he says ; or successfully gambled for him : here *he* sits ; professes not in sorrow but in pride, that he and his have done no work time out of mind. It is the law of the land, and it is thought to be the law of the universe, that he, alone of recorded men, shall have no task laid on him, except that of eating his cooked victuals and not flinging himself out of the window. Once more I will say, there was no stranger spectacle ever shown under this Sun."

CHAPTER XVIII.

THE RIGHT TO EARN A LIVING.

On the other hand be this conceded : Where thou findest a Lie that is oppressing thee, extinguish it. Lies exist there only to be extinguished ; they wait and cry earnestly for extinction. Think well, meanwhile, in what spirit thou wilt do it : not with hatred, with headlong, selfish violence ; but in cleanness of heart, with holy zeal, gently, almost with pity. Thou wouldst not replace such extinct Lie by a new Lie, which a new Injustice of thy own were ; the parent of still other Lies ? Whereby the latter end of that business were worse than the beginning.—THOMAS CARLYLE.

HAVING thus described some of the social benefits that may be expected from the discontinuance of heredity in its application to wealth, a fair consideration of the subject demands that this treatise shall also discuss some of the great evils of the present that it will not affect. In the first place, the inevitable penalties that are inflicted upon all men by their own ignorance can never be avoided except by greater individual wisdom. It needs no arguments to show that innumerable men are lazy, vicious, improvident, and incompetent in the performance of their life-labor, no matter whether they begin it poor or rich. The unfairness often embodied in the discussion of these features of human effort exists in the fact that one class of writers habitually describe the idleness and profligacy of the rich, while the opposing class persistently direct

attention to the improvidence or indolence of the poor, each ignoring the truth that is embodied in the statements of the other. Devils cannot be suddenly transformed into angels by any process known to human ingenuity, and the expectations of many reformers that great immediate changes in the nature of society can be effected by alterations in its institutions, which are only the outward expression of the inner man, will inevitably be doomed to disappointment. Notwithstanding this fact, however, the inner man continually changes while his social institutions remain established as they were by men of different morality, thoughts, and feelings in the past. Man outgrows his institutions, especially his laws, and from this fact and not from the expectation of radically improving the nature of society, are the changes proposed which are herein advocated. The social discontent is a dial revealing to any intelligent observer that the hands of our great national timepiece are pointing at twelve while the bell strikes ten, and the machinery needs change and regulation. Our social institutions are not in accord with the new sentiments of the people and the new industrial conditions, and until they correspond with the present forms of public thought, there will be trouble. After they are made to agree with that thought, the moral tone of society will not be really much better on account of its change in the laws, for the real improvement is already accomplished in the minds and hearts of the people; but the adoption of laws in accord with public sentiment will again bring general satisfaction till men once more progress beyond the institutions that have been adopted, and consider wrong what was formerly believed to be right.

No changes are here advocated with the expectation that they will make poor men industrious, temperate, and provident; or that they will make of rich men those perfect human beings, who should always be invested with

power over their fellow-creatures, when that power must be exercised. It is easy to depict folly and vice in half-brutal human nature, but it is nobler to encourage the aspirations of that nature to something better and purer than its present condition. We do not need to blame the rich for the condition of the poor, nor falsely attribute all the sufferings of the unfortunate to their own individual acts. Really beneficial changes will improve all classes in their social relations, but let not the Mammon-worshiper suppose that social benefit is to be measured by money alone. It is to be found in health, peace, and brotherly regard for our associates ; in happy industry and the absence of a bitter hatred between distinct classes ; in freedom from our inward burning in the presence of injustice, and from the haunting fear that our associates may at any moment be converted into destructive enemies.

It is not a question of how all men shall become rich. They do not need to become rich, and a great nation composed exclusively of rich men would be no happier than the present people, even if its existence were possible. We have too much talking and writing of money and wealth, and too little consideration of human rights, and opportunities, and liberty, and happiness.

When we view the social question as one not giving the poor man wealth, but permitting him the right of an opportunity to earn wealth, there will be less denunciation of robbing the rich to divide wealth among the poor. When we judge the condition of those possessing extreme wealth by the standard of the owners' personal exertions and efforts, as we do the condition of the poor man, it will be discovered that abolishing wealth heredity robs no human being of anything whatever. The object that has been kept in view in preparing this consideration of the social question, is not the advocacy of imaginary panaceas, but the concentration of public thought upon those

features of our social system which belong to the decaying work of the past, and which are not in consonance with the spirit of the present. It is an effort to divert public attention in this country from the fallacious ideas of securing real progress by worshipping a Silver God in the place of a Gold God, or hailing either Free Trade or Tariff as the Redeemer of mankind. No deliverance from danger can be obtained by humble reverence to Mammon in any form.

The changes in the principles of inheritance that have been proposed would only correct evil tendencies at one end of the social scale by destroying the power and corruptive influence of great bodies of unearned wealth in the hands of incompetent and irresponsible possessors, who disturb by their existence in that capacity the equilibrium of the whole social structure. The proletarian, however, the man who has neither wealth nor employment, and who knows not where to find them, will not find his condition improved by the mere destruction of unearned fortunes ; for, if the earth be completely controlled under private ownership, it matters little to the man who has nothing and no place to lay his head, whether the world he inhabits be in the possession of one man or one million men, except, perhaps, that the first condition might seem preferable, because he could then fight on an equal footing for a right of use. In the second case, presented in the existing condition of society, he is helpless, for he cannot fight the many, even if the alternative be starvation. What, then, shall be done for the man for whom society affords no labor in return for wages ; no labor as an absolute slave in return for his living ; nor even an opportunity to labor for himself and to maintain his own existence ? With competition as the directing principle of our social existence, it has been shown, and the history of this century apparently proves, that indus-

trial depressions are absolutely inevitable, and that aggregated man can no more prevent the cessation of activity that results from an over-production than individual man can prevent it under the same circumstances, and no, more than he can prevent the loss of appetite when he eats, or the sense of fatigue when he labors. No laws, whatever they may accomplish in other respects, can prevent the industrial depression so long as the competitive system is maintained, and so long as society produces more than it consumes, for the depression is essentially the condition of a man who has made five pairs of boots for his own use, and who objects to making more until he needs them.

A complete socialism would evidently remove all the objectionable features of this period of inactivity, and transform it from a curse into a blessing, by the distribution of leisure ; but complete socialism is not for the people who now inhabit the United States, although faith in the progress of human nature will indicate that it may be for their remote descendants. All history proves that the genuine socialistic feeling has been a slow growth from the early brutish life of the human race—a growth which is going on now, and which will probably continue into the future, so that our more humane successors, if no catastrophes occur, or if the ascending progress be not arrested, may be able to substitute the principle of assisting one another in all things, for the good old savage doctrine of fighting everything that is different from ourselves, which we still believe in and practice to a considerable extent. It is possible that more than half the journey to a nearly general and practicable socialism, measuring time from the earliest records of written history, has already been accomplished by the civilized nations ; for the savage spirit of warfare is disappearing, and the equally savage spirit that delights in the competi-

tive industrial struggle will also disappear if the race continues upward. Enthusiasts overrate the extent of these changes, however, and by many the socialistic era is seen near at hand, in spite of the ignorance, the selfishness, the envy, and the greed which any observer not endowed with the socialist's faith in weak human nature can observe on every hand, even without striving to uncover either his neighbor's faults or his own. All these rapacious semi-savages of the present must be transformed by the progress of new generations into animals more genuinely humane and reasonable, into creatures more brotherly and tolerant, before the ethics of a real socialism will be so generally acknowledged as to make universal co-operation among the people either acceptable or feasible.

Possibly we might adopt socialistic forms, as Mexico has adopted a republican form of government; but it would be a sham socialism, just as Mexico's government is a sham republic—in its real nature a military despotism corresponding to the institutions of Europe in the Middle Ages. The mere existence in this nation of two ancient clans at the present time, under the names of the Roman Catholic Church and the American Protective Association, with all the old clan feelings of intolerance and opposition against one not of the same tribe, ought to be a sufficient indication that the people of the present have still far to travel in their moral progress before reaching a fraternal future. The real nature of this antagonism is not at first perceived, and savage clan hostility appears in the contest under the names of patriotism by one and religion by the other. The zealous Roman Catholics, formed into a clan by the efforts of the priesthood, under the barbarous methods of the Middle Ages, all work for one another and against everybody outside the clan, just as their ancestors of European history did when the

clan organization bore a clan name and was headed by chiefs instead of priests. The amount of clan-spirit and subserviency to leadership is measured by the amount of ignorance and consequent lack of development from the brutal existence when it was morally wrong for any man to kill his clansman,¹ but perfectly right to kill the member of another clan, to steal his wife or deprive him of his other property. The more intelligent Roman Catholics, especially those who have been educated in the public schools and accustomed to fraternal organizations, institutions which merely bring them into contact with other clan members, have retained comparatively little of the narrow, intolerant spirit that once characterized all men. The ignorant Catholic, unemancipated from the savage doctrines of the past, thinks that it is his duty to obey his clan-chief, in the form of the priest, to assist a fellow-clansman, and to regard with distrust and opposition, if not with actual hatred, all who are not members of his clan and consequently "Good Catholics." That feeling is a relic of barbarism surviving amidst more highly civilized social ideas, and the real corrective that should be applied is not the organization of other clans, but the civilizing influences of education and association. The existence of this clan spirit among Roman Catholics has recently evoked the same feeling among non-members of that faith, who are now organized into another ancient clan and bound into a brotherhood to make political war on Catholics, thus fighting the devil with fire and turning civilization backward. There is little real encouragement in the present attitude of the Ameri-

¹ "There was no brotherhood recognized by our savage forefathers except actual consanguinity as a fact. If a man was not of kin to another, there was nothing between them. He was an enemy to be slain, or spoiled, or hated as much as the wild beasts upon which the tribe made war. It would scarcely be too strong an assertion that the dogs which followed the camp had more in common with it than the tribesmen of an alien and unrelated tribe."—SIR HENRY MAINE.

can Protective Association, for it embodies more of class antagonism than of genuine patriotism in its present ideas. If its members will devote less attention to keeping Roman Catholics out of office, and more thought to the real nature of the evils represented by the clannish spirit of that church, they will discover that it is a condition which is not to be eradicated by forming other clans of the same kind, but which may be gradually removed by education and by firm, reasonable, and *open* warfare against intolerance. We need to restrict the immigration of any people who imagine that this country exists for their particular clan and not for the whole population, and we need to extend the public-school system by converting it into a more effective weapon against the intolerance of all clans. Education in the public schools should be compulsory upon rich and poor and upon the children of all religious faiths. Isolation and ignorance made the antagonism of clans in the past, and isolation and a one-sided secular education, equivalent to ignorance, are making the religious clans of the present. When young people are compelled to associate with one another day after day in the schools, it is impossible for religious fanaticism to completely poison their minds with the teachings of a narrow intolerance. When they hear all sides of every question, as one day they will in the free schools of this country, the future population will not be governed by the clan spirit, and not be controlled by the ignorant reverence for leadership that dominated the past and still influences the present. Intelligently directed, the new movement in opposition to intolerance may accomplish much good, but it must rise above the narrow channel to which the present thought is confined.

In the meantime, what of the man who hungers in the midst of plenty and starves while other human beings smother in the wealth that society has produced? Can his

condition be alleviated in spite of competition? Pure competition would insist that he shall die when he can no longer exist by his own efforts, but we are now socialists to the extent of denying that extreme theory. If the erring or unfortunate man be sick, we send him to the public hospital ; if he become insane, we tenderly care for him, although knowing his malady is incurable, instead of taking the purely economical and apparently only reasonable competitive course of putting him out of his misery, out of our way, and out of existence at the same time. Yet, in spite of these brotherly duties now imposed upon society by public opinion, instead of the absolute neglect of the sick and insane which once expressed the social feelings of the race, men still contend that they owe no duties to the fellow-creature who finds the natural opportunities of earth monopolized under private ownership, and for whom there exists no present need as a producer in exchange for wages. In a period of depression, when thousands tramp the country unable to find employment, we extend charity grudgingly or liberally to those in actual want, and by private or public alms and indiscriminate giving, we increase the evil instead of lessening it, racking our brains meanwhile to know what shall be done with such crowds of people without homes or useful employment. The more rapidly improvement is made in our industrial methods, the richer society becomes, and the greater the production the longer will be the idle period of consumption. Hence the curse of industrial depression will become more frequent and the idle men more numerous in such periods the faster we increase our material prosperity, so long as our present methods of industry remain in operation. Any hope for the future that is based on the fallacy that the increased and increasing production of wealth will itself solve the problem, regardless of distribution and use, will prove as barren of

results as the conceptions of a man who would retain the existing system of wealth control under absolute individual possession and then ameliorate the existence of humanity by converting the earth itself into magical stores of food and clothing, perpetually reproduced as they are consumed, without any effort whatever from human beings.

The unemployed man who suffers from that condition does not need charity, but he does need justice. It may be admitted in advance that he is not economically prudent, and that in many cases his habits may have been vicious. He may have been improvident, or, in an industrial sense, incompetent. He may have been a drunkard or even a criminal. Yet, notwithstanding the previously bad record of many soldiers in the great Coxey armies of the world, they are still entitled to justice. If these defects in human nature, from which introspection will teach us that no man is wholly free, must deprive a human being of the privilege of existing by his own efforts, let us, to be entirely consistent, destroy every man for whom there exists no place in which he can labor either for himself or in return for compensation from another human being. Every man, no matter what his past history may have been, if we are not prepared to put him out of existence for his misdeeds, has a moral right to an opportunity to labor for his own subsistence. Along with that right goes the corresponding duty of performing that labor, and the social creed herein advocated would grant the right and impose the duty on all society. The willfully idle rich and the willfully idle poor need to be compelled to perform their share of the social labors, and the man who is willing to work should not be forced to beg or steal in order to exist, nor to support the others in idleness. A high-spirited young laborer recently remarked in discussing the scarcity of employment, that he would commit highway robbery before he would beg, and where

the genuine manly feeling of independence exists, his assertion will be applauded.

Self-preservation ultimately extinguishes all feelings of right and wrong in the human breast, but we cannot plead that stern doctrine in defense of the tyranny that is inflicted on those men who want work and approach starvation in the midst of plenty. The characteristic feature of the modern depression is a superabundance of wealth and the existence of want in the midst of it.

Progress, if these views be correct, must be along the lines of public improvements prudently conducted in times of industrial depression, and the public funds for this purpose should be derived so far as possible from the vast estates that otherwise become dissipated by the frivolities of the idle rich. It is better to control the surplus wealth of society in this way than to permit it to generate by family descent the teachings of Oscar Wilde and his class in our midst. There are millions of miles of muddy and dusty roads to reconstruct ; there are thousands of acres of swamp lands to drain or fill ; there is endless work of all kinds to do that is better for human beings than that idleness wherein the devil in human nature gains ascendancy over its better instincts and feelings. The gospel of useful employment needs to be preached among both rich and poor.

What right have we as intelligent and fair-minded human beings to blame the voluntary tramp for not working, when we permit and even encourage the formation of another class of tourist tramps, owing their existence to unearned wealth, who, sooner or later in the line of descent, consider work degrading, just as the tramp of the barns and hedges considers it disagreeable? The truth needs to be told over and over again, that he who works not, whether pauper or prince, is a parasite upon society. Holding a mere claim upon the results of other men's

efforts is not production, and the collection of William W. Astor's immense rents from inherited lands and buildings, although legally permitted, is not morally or equitably any more defensible than the doctrine of other parasites who insist that the "world owes them a living," by which they mean a living without labor. This sentiment is expressed without any hostility toward Mr. Astor, or toward any other man who is in the possession of inherited estates, but it is a truth that needs to be impressed upon the minds of all who would honestly seek better principles for the future than those which control the present. No personal responsibility or blame attaches to any man for existing laws, which are simply the result of conditions that had the universal approval of preceding generations.

There is already, in the discussion of the social question, too much factional bitterness expressed by people who, on one side, magnify the vices and folly of the "proletarian" and denounce him for his often unreasonable demands, and on the other by advocates of the poor as a class who see in the rich man only a demon of avarice and extortion. Rich and poor should be regarded, to some extent, as slaves of the economical system they have developed, borne down and crushed under their accumulation, ready to destroy one another over its possession, yet all actually consuming at the end of existence, approximately equal quantities of the food and warmth which are alone capable of consumption. Extremes of wealth and poverty are both degrading in their nature. The busy rich man becomes dwarfed in all conceptions of life outside of the mere aggregation of capital. The idle rich become voluptuous, profligate, or effeminate. The busy poor are confined solely to the necessities of working, eating, and sleeping without real mind-progress; and the idle poor become the mere brutes that infest vol-

untary trampdom in all parts of the world. Were not some control of wealth distribution beneficial to all, it could not be consistently advocated ; for there will be no solution of the social problem from the habit of regarding it solely as a matter of dollars and cents.

The evil conditions of the industrial depression constitute the really dangerous problem that is before civilization. In a period of industrial activity, the condition of the laboring classes, while far from being the ideal of a philanthropist, is still not unfortunate, and the comforts they enjoy in this country are vastly greater than laborers ever before experienced in any part of the world. The familiar assertion that "the rich are becoming richer, and the poor poorer," in its literal sense is not true. While civilization progresses, while the brutal savage becomes humanized, and morally and materially develops into what we of the present moment denominate civilized man, as though that development were perfected, society continually becomes richer. In the early history of the race, almost no wealth beyond a day's or a week's food, a scanty supply of clothing, and a rude shelter exists for future sustenance, and the small stock is communal property. Man is a tool-making animal, however, and thence comes wealth. In all his subsequent life, extending over century after century, his history is the record of inventions and the economical and social changes effected by them. In the nineteenth century he has subdued the forces of nature by the contrivance of machinery and improved methods of industry so that one hour of his time accomplishes more productive results than one hundred hours of his savage ancestor's labor. Man is inevitably rich in the present, therefore, compared with any period of his past existence, and the farther back we go in the history of any nation the poorer its people become ; for proceeding in that direction we reach,

sooner or later, a savage existence. The improvements in material conditions within recent years have been elaborately proved in statistical researches by writers like Edward Atkinson, but a mere consideration of the nature of social progress should teach anyone that the people of every civilized nation are now richer than their more savage ancestors were, which is equivalent to saying that they, in general, have now better and more abundant food, better clothes, better houses ; and, producing these things more easily than their ancestors could, they also possess more leisure from productive labor than more ancient people had. When trees are transformed into finished lumber entirely by machinery, we have better houses for all classes than when the same work was done by hand. By similar inventions applied to spinning and weaving, all men of the present wear better clothes than those of the past, and by improvements in agriculture and transportation they have more abundant food. These improvements have also given men more leisure by shortening the hours of labor. Comparatively poor men to-day enjoy luxuries that could not formerly be obtained by the wealthy.¹ The luxury and profligacy of the rich in Greece and Rome were in some forms astounding, yet their houses lacked the ordinary convenience or apparent necessity in this age, of a chimney or other flue. In England, when America was discovered, the mansions of the rich contained usually no glass windows, and the houses of the poor were more uncomfortable than a modern cow-stable. It is not necessary to produce

¹ "In those times," says a writer about the year 1300, speaking of the age of Frederick II., "the manners of the Italians were rude. A man and his wife ate off the same plate. There were no wooden-handled knives, nor more than one or two drinking cups in the house. Candles of wax or tallow were unknown ; a servant held a torch during supper. The clothes of the men were of leather unlined. The common people ate flesh but three times a week. A small stock of coins seemed riches."

—HENRY HALLAM.

statistics to show the increase of wealth among the people, or to prove that all classes have gained in that respect. Any man of forty or fifty years can remember when the laborer's or the farmer's children in this country were usually expected to go without shoes in pleasant weather, unless upon some special occasion, while at the present time a barefooted child would attract as much attention as the sudden appearance of an extinct saurian. The third chapter of Macaulay's "History of England," which, in real value, exceeds all the remainder of his works, shows how the same changes went on in the British Isles, providing wealth where poverty formerly existed, and developing new desires among the people for every want which they became able to supply.

The truth appears to be that the aggregate wealth of society, or its wealth proportioned to numbers, becomes continually greater; that as society becomes richer, some of its individuals necessarily hold much larger fortunes than before; and that some of the poor remain the same miserable rats of destitution which have been found in all periods of the world's history under individual competition. The average condition of the people becomes more luxurious, and the wealthier among the founders of the United States government did not live so comfortably as many of the railroad employés engaged in the strike of 1894.

Such historical facts ought to be candidly admitted by all who earnestly desire a solution of the social problem, and not merely to excite class hostility. In the agitation of the labor question, intense and unreasonable selfishness has been displayed by the labor organizations and by capitalists. Both have assumed that no other human beings were concerned in the results of their industry, its continuance or cessation, than the employer and his employés. The capitalist has discharged his laborers,

no matter what their numbers, summarily without regard to the opportunities for other employment, or the unfortunate condition in which large numbers of unemployed men might be placed. The laborers are organized in associations tyrannical and intolerant when they have power, shutting other men out of opportunities to learn their trades, dictating the management of the employer's business whenever they have the opportunity of doing so, and denying other men the right to labor when they will not work. Both contestants are narrow in their views of social life. The capitalist exhibits no patriotic sentiments, and no desire for anything but the protection of bayonets, while he controls his vast wealth to suit his own pleasure, as though no other human being existed in the world. The associated laborers of a particular trade want a monopoly of the employment in which they are engaged, with all the profit it will afford paid over in the form of wages, and they do not concern themselves about any other social evils than those which they believe to relate to their form of employment.

Their disputes with capitalists are on both sides purely a selfish contest, in which, so far, has appeared no indication of a real patriotic desire for social improvement. The condition of the average laborer in the United States is comfortable, except in a period of depression, and, compared with the life of laborers in the past, it is luxurious. He often saves no more than laborers formerly did, but he lives more expensively, and compared with the ancient laborer, he is an aristocrat. The industrial depression is his only real hardship, and its dangers would be greatly lessened if he were a thrifty economist, like the capitalists whom he sometimes denounces. He needs to know that "hard times" in the modern industrial world are as inevitable as winter or death, and a reasonable prudence should dictate

that he lessen some of his expenditures during the period of prosperity in order that the inevitable stagnation may not find him at the disadvantage of having neither work nor money.

It is a stale truth, although one apparently not believed, that when man has completed his life journey, his actual consumption of the products of human labor is limited to what he ate and wore, whether he be a millionaire or a beggar. In spite of this self-evident proposition, neither millionaire nor beggar apparently accepts it as truth, for the one clings to every dollar of his possessions as though it were a part of his life, and the other often alludes to the rich man as though he were some rapacious demon who swallowed carloads of meat and bread at a mouthful, or wore out a thousand suits of clothes in a single day. James D. Fair at his death left an estate worth nearly forty millions of dollars, but although he controlled this immense fortune, he worked harder than many poor men and consumed only a small quantity of food and clothing. Leaving out of account the idlers in society among the tourist tramps of aristocracy, and discarding the tramps of the corresponding ragged aristocracy at the other end of the social scale, who are all parasites, the wealth produced by social effort is consumed nearly equally by the workers all along the line, from the wage-worker to the active, energetic millionaire employer. Rich men, who are endowed with a tremendous energy and executive capacity, by their intense effort and skillful management probably produce a thousand times what they consume, and leave it in the world for the consumption of other men when they die. The only wealth that is consumed inequitably is that absorbed by the idle people of the two aristocracies comprised in the voluntary tramps and the useless successors to fortunes earned by other people.

The real question, therefore, is not the improvement of the laborer's condition during periods of activity, but the protection of his interests in the period of depression, in which, if he be prudent, he will, first of all, commence to assist himself by reserving in his own title a portion of that surplus wealth that must, sooner or later, cause the depression he deplures. If he rids society of the two idle classes that have been described, he and other workers then consume about equally, according to their appetites and rough usage of clothes, all that is produced, either during the period of active work or in the enforced idleness of the depression, so there is nothing in the social condition for him to complain of, granting that the two classes of idlers disappear, except the mere control of wealth in the form of the power to direct its use in production. Considering wills and inheritance abolished, it is emphatically true that the men who succeed under competition are the very best industrial managers that society can procure. They work like demons, they are economical, prudent, sagacious, and the result is that such a fund of wealth is accumulated by their successful management that society is nearly smothered in its own riches. Society is wonderfully energetic in its production and wonderfully idiotic in its theories of distribution and consumption. As a means of production, men can do no better than to continue under the leadership of the Captains of Industry, for they know how to command, and upon the efficiency of the commander depends to a great extent the success of the army ; but when it comes to the other question of use and distribution, something else besides the mere cumulative instinct of the business man is needed. The mere capitalist concerns himself exclusively with dollars, and other human aspirations are to him nothing. He would hold his money absolutely in his possession during life and cling to it beyond his death.

He would convert the whole earth into manufactured products and sell them to the inhabitants of Mars regardless of his earthly companions if he could retain the proceeds in the form of a fortune. The correct principle, therefore, to apply to this valuable servant but hard master, is to give him a life-lease of his possessions and collect the rent at the end of his existence, before he turns it over to some person who has phenomenal capacities for mismanagement, instead of the executive skill which led to the accumulation of the fortune.

The provision of public employment in periods of depression will involve some difficulties, but they are not insuperable. The principal danger to avoid will be the withdrawal of men from other avenues of employment in order to enter the public service. To avoid this, wages would have to be established at a lower figure than the usual rates afforded by competitive industry, but still sufficient to afford comfortable maintenance. The series of internal improvements thus conducted should be in charge of the national government, so that the work could be easily distributed in a way to avoid the concentration of too many of the unemployed class at any particular point. Connected with these operations should be a compulsory system of labor, whereby the voluntary tramp, who thinks the world owes him a living without work, could be compelled to do something more useful than inflicting his presence upon a suffering public in all parts of the country. The details of such a system need not be elaborated, for necessarily they would be greatly the result of experiment, but there is nothing apparently impossible in such plans. The idea is not paternalism in government, but it is simply justice to the individual and self-protection to society. If the unemployed do not work, society feeds them in one form or another within its borders, either in its jails, or hospitals, or free lunch-houses, or from

door to door, so that even if we take the cold-blooded economical view of the problem, embodied in dollars and cents, it is better that these men shall do useful labor of some kind, and be out of that idleness which breeds mischief, than to be tramping over the nation from house to house, sinking into vice and crime, and humiliating the pride of every true American in the institutions of his country.

Toward these two results—work for the idle rich, and work for the idle poor—with fair opportunities and justice for all, the efforts embodied in this volume have been directed. If the results of the future correspond with the history of the past, conservatism will compel the progress to be very slow; but very gradual reform will not be detrimental if it be sufficiently rapid to prevent the collision of belligerent factions. The lines of advance seem at present to be in the direction of taxing inheritance.¹ In California a small tax was recently levied on collateral inheritances, and the estate of Leland Stanford is now engaged in litigation over its payment. At the legislative session of the same State in 1895, a bill restricting inheritance to \$500,000 was introduced, but was withdrawn without consideration. The bar association of Illinois has recommended that individual inheritance be limited to \$500,000. Judge Lyman Trumbull, while these pages have been in preparation, has incorporated the idea of limiting unearned wealth in the form of inheritance among the new political doctrines that he desires to see

¹ Both houses of the Illinois Legislature have passed a bill to tax inheritances above \$20,000 1 per cent. It is expected that the law may be attacked in court on the ground of lack of uniformity. It makes a distinction between a person who inherits \$20,000 and those who inherit less or nothing.

It is finally settled that Jay Gould's estate foots up \$73,224,567. The sum of \$6,000,000 in the form of inheritance tax was paid into the State Treasury under protest. There seems to be one point at which a multimillionaire may be put in a corner and made to pay taxes—*San Francisco Bulletin*, June 18, 1895.

advocated. All these suggestions of a changing public sentiment are less radical than those which have been here presented, but all public movements proceed slowly, and we must be content if the movement is in the right direction.

Of many other subsidiary advances, connected to some extent with the particular progress here advocated, there is not room to speak. Whenever any material change is made in our laws relating to property and employment with a view to improving social conditions, a severe restriction of foreign immigration will have to accompany the transformation. In this country, at the present time, we cannot safely attempt to form a social paradise of advanced civilization and then invite invasion by the debased, the ignorant, the clannish, and the unreasonable of other nations. The theory that this country is an asylum for the oppressed of all nations is not even moral in its real significance. What we need to do for the oppressed of all nations is to keep them outside our borders till our people can have time to breathe and settle their family quarrels. One earnest, patriotic example of progression in human rights and equality in this country will be worth more to the oppressed of all nations as a stimulus to their own efforts than all the doubtful asylums we can now offer. In the recent Asiatic war, Japan did China a valuable service by defeat, and the United States will do the laboring classes of all countries the greatest good by compelling them to stay away from this country until more equitable social relations are established. One country of the modern civilization, justly reformed in its social institutions, is worth more to laboring humanity than all the asylums earth has to offer.

Education is the never-failing theme of reformers since the days of Plato. The education of the saloons is the form that is now most prominent in the United States, for

in number they exceed the school-houses. Compulsory education in the school-houses and compulsory restriction of education in the saloons by means of laws based on the intelligent methods adopted in Scandinavia, eliminating the profit of the saloon-keeper and the attractiveness of the saloon, will be steps in the right direction. When the state provides money for free education in the school, it has the right to compel attendance in order that its future citizen shall receive the benefit ; and when the education of the saloon is contrary to public interest, the right of control and repression should be promptly exercised. Compulsory education of all, rich and poor, religious and non-religious, in the public schools up to the age of fifteen years would do more to remove the intolerance of ancient clan-spirit from the nation, and to form a homogeneous people free from aristocracy, prejudice, and the spirit of A. P. A.-Catholicism than all other progress except the destruction of heredity in wealth.

Coincident with this change should occur reformation in the electoral privilege, in which intelligence, familiarity with our language, and good character should be requisites for voting. When the citizen is given the opportunity of education he should be made to regard its possession as a duty, and if he is mentally unfit to acquire a rudimentary knowledge of the language, the government, the history, and the social spirit of his country, he should be debarred from equal participation in its affairs. When women are given the privilege of the ballot in the United States, or even before that time, the progressive patriot will desire to see a public examination held for all who desire the privilege of voting, in which the applicants, whether natives or foreigners, will furnish proofs not only of moral character, but of their ability to comprehend the spirit of American institutions. Ignorance and vice are bad qualities in the voter, no matter whether the individual is

born in this country or out of it ; no matter whether they are the attributes of a man or a woman. De Tocqueville would have been a more desirable American citizen after a residence of one day in the United States than some other Frenchmen after a residence of fifty years, and he knew more about the real nature of our country than nineteen-twentieths of our native inhabitants. Intellect, education, and morality, and not birthplace, property, or sex should be the tests for acquiring the right to vote. Such women as George Eliot or Annie Besant would immediately make better citizens and better voters than four-fifths of the present voting population of the United States. Many native-born voters are so stupid and morally indifferent to the duties of citizenship that their votes are invariably controlled by bribery in one form or another. It is, of course, the old story of defective human nature, but we need to move in the right direction to counteract the evil, instead of falsely assuming that a man's birthplace or the length of his residence in our country fits or unfits him for voting. A fool or a rascal born here will never be fit to vote, and a fool or a rascal born in some other country cannot be made into a good citizen by any period of residence, however extended.

We need to set more value on morality and ability as social factors, and less upon mere sex, origin, religion, or heredity. It matters not whether the individual as a citizen is a man or a woman, an American or a European, a Jew, a Roman Catholic, a Protestant, or an Agnostic ; but it does matter whether he displays mentally and morally some conception of duty as an American citizen, and some freedom from the savagely intolerant ideas that are the bane of ignorance wherever found.

Polish the units of humanity by attrition during early life in the public school, and rich and poor, native and foreigner, Christian and Jew, Roman Catholic and Prot-

estant, rubbed together in natural contact, will lose many of the hideous excrescences, in the forms of superstition, bigotry, pride, arrogance, servility, and intolerance, so repulsive to a noble mind. The sons of social leaders and of social laborers thus brought into the competition of the public school on their own merits in early life, would come out of it with a genuine appreciation of the divine truth embodied in a warm-hearted Scotchman's sturdy words,—a truth despised by the universal tyranny of early race existence, respecting nothing in God or man but power; a truth ignored in too many sermons of past and present; but still a truth honored by the noblest minds to-day and destined to become the Spirit of the Future heralded by Robert Burns when he wrote—

“ For a' that, and a' that,
 Our toils obscure, and a' that;
 The rank is but the guinea's stamp,
 The man's the gowd for a' that.”

CHAPTER XIX.

THE DUTY OF AN AMERICAN CITIZEN.

“ Be brave, be just, be pure, be true in word and deed ; care not for your enjoyment, care not for your life ; care only for what is right. So, and not otherwise, it shall be well with you. So the Maker of you has ordered, whom you will disobey at your peril.”—JAMES ANTHONY FROUDE.

COINCIDENT with the celebration, in 1895, of the birthday of this country, comes the expression of current thought concerning public duty or patriotism, enunciated in towns and cities by thousands of speakers, and appearing in innumerable newspapers prepared by thousands of writers, as appropriate comment upon the national anniversary.

Nothing more clearly illustrates than do these recent utterances on the Fourth of July the approaching conflict, perpetually consummated among our ancestors, and perpetually renewed by their descendants, between the struggling forces of radically progressive thought and those of conservatism. Two types of thought are expressed by the writers and speakers who have on this day of patriotism considered the history and present condition of the nation. These classes, each consolidated for simplicity into the form of an individual, present the picture of two men standing squarely back to back, the one pointing to the past, the other to the future, each telling of what he sees.

One is a conservative who honors with absurd enthusiasm the institutions of this country adopted one hundred years ago ; who glorifies in servile reverence the names of its early founders ; who shows in detail the growth of the country in area, wealth, and population since the era of the Revolution ; and who invokes for the future a continuance of the same political and social methods that have been accepted since our government was instituted. The other is a progressionist, looking steadfastly toward the future, the same being in character and temperament, though not in intellect, education, and moral development, as the progressionist of preceding ages. He admits that some triumphs over ignorance and poverty and tyranny have already been accomplished by his forefathers, but having ascertained these truths from a comprehensive study of the past, he turns his face resolutely in the opposite direction and says " Onward."

Thereafter will these two men, the one looking to the past the other to the future, diverge in social and political thought more and more widely, for men can never yield implicit honor to the social institutions of their forefathers if they would continue, as their ancestors have done, to

make such institutions better. It is well to understand and appreciate the improvements that have been accomplished by the patriots of other ages, but when that appreciation degenerates into a blind, unreasoning ancestor-worship, impressing us with the belief that our civilization is perfected, and that all social improvement has been completed by the men who have preceded us, the habit of conservatism becomes a degrading form of sentiment not really higher or nobler than the fetich-faith of the African savage. The men of the present who refuse to remain bound by the ideas and moral perceptions of other human beings who preceded them on earth will separate politically from the extreme conservatives and proceed to develop new social principles and methods as the real patriots of every other age have done.

Patriotic thought defined by the mind of the conservative, and patriotic thought as it exists in the mind of the progressionist, are two very different things. The one teaches that a true patriot will maintain unmodified all the existing institutions of his country because they were established by the patriots of a preceding era, and that the quantity of patriotism in every man's nature is measured by the amount of unquestioning reverence he displays for those principles already established in the laws of his country and handed down by preceding generations. Conservative patriotism is mainly characterized by the patriot's thinking and saying nothing about the equity of social relations for three hundred and sixty-four days in the year, and by his participating for one day in the stereotyped forms of celebrating the Fourth of July, with its fire-crackers and flags, its patriotic songs and brass bands, and its reading of a Declaration very appropriate to the particular forms that tyranny assumed one hundred years ago among a people dead and buried. Conservative patriotism loudly declaims with great enthusiasm an ora-

tion replete with allusions to the really great men—the truly brave and patriotic spirits of the past—whose patriotism did not consist in devoutly admiring the patriotic deeds performed in the century preceding their own existence, but in earnest efforts to improve the social institutions of their own day, and to ameliorate the condition of their contemporaries. Conservative patriotism reveres heroes, but is not heroic. It vociferously applauds the past performance of public duty, but contains no suggestion that we of the present have any higher duties to perform than merely those of sitting still and admiring the patriotism of dead men who were the progressionists of a preceding era.

Such conservative patriotism is the form that is enunciated in the words of a famous American ¹ who delivered an address in Chicago on the natal day of the Republic to twenty thousand people, when he said :

“ In America no one is born to power ; no one is assured of station or command except by his own worth or usefulness. It has long been demonstrated that the philosophy of Jefferson is true. . . . Working men of Chicago, let me adjure you to be faithful to the acts, traditions, and teachings of the fathers. Make their standard of patriotism and duty your own.”

It would be difficult to concentrate into brief utterance a greater quantity of absurd thought than untrammelled investigation will expose in these assertions, honestly uttered by the eminent speaker, and honestly approved by a very large portion of the people in this country. Its expression is an illustration of the force of habit, custom, and the perpetual tendency to accept sound for sense. In the first place, as these pages have shown, many people are continually born in America to “ power, station,

¹ William McKinley.

and command" by succession to wealth, and only the stupid subservience to the survival of ancient ideas prevents us from seeing the wrong condition, just as the same subservience once prevented men from seeing the wrong in succession to political supremacy. In the second place, it is undeniable that men succeed every day to wealth-positions to which no "worth or usefulness" of their own entitles them. In the third place, we are now and have long been conducting our social and political institutions directly contrary to Thomas Jefferson's philosophy,¹ for we are governed, not by our own constitution, but by the constitution which men made one hundred years ago, tying the hands of future generations, meanwhile, with ropes of straw so that the constitution might not be changed readily to accommodate the interests of those who should live under it. We are also permitting dead men to control the living in a way that is directly opposed to the spirit of Jefferson's teachings, although the application of his philosophy made in this volume may not have occurred to him in that form when he attacked the privilege of entail. In the fourth place, the student of history can only say, God pity those people who remain faithful to the "acts, traditions, and teachings" of their fathers, and who "make their standard of patriotism and duty" the gauge with which to measure the moral conceptions of the present or the future. Do the American people desire the civilization of the Chinese and the Hindus, stagnated under the worship of their ancestors? Do they approve to-day the standard of patriotism and duty by which the men who established this government recognized slavery in the Constitution, preached its divinity in the pulpit, defended its morality in the forum, declared its justice on the bench, and developed its degrading iniquities in

¹ See Appendix.

their own homes? If men of preceding centuries had accepted standards of the past as gauges for the present, the Anglo-Saxon race would now be tribes of naked savages entertaining no higher sentiments of social duty than those which filled the minds of the American Indians whom we have displaced.

The people of every age must develop their own morality and they will inevitably do so in spite of absurd directions to make the defective standards of preceding ages their own.

The same imperfect conception of the real condition of the American people is displayed by a recent writer¹ for a periodical intended for circulation among the cultivated minds of America, presumably the leaders of advanced thought. This author reflects the complacent conservative sentiment that our ancestors have accomplished about all the progress of which human beings are capable, by the assertions expressed in the following sentences :

“The fact that we have no royal family, no hereditary nobility, in this country, is one that we delight to proclaim as the chief glory of our political system. Here all citizens have equal rights and privileges, incentives and opportunities.”

Such expressions illustrate the almost universal habit of accepting forms for realities and of repeating common assertions without independent thought and investigation. Because the wealthy families of this country, already well established as an aristocracy under the principle of succession to wealth-privilege, do not bear the mere empty and useless titles of Prince, Duke, or Marquis, this writer, like the ostrich with his head covered, believes that sufficient protection from the danger of privileged

¹ Henry King in *Chautauquan* for July, 1895.

classes is guaranteed. When we remember that the power of controlling unearned wealth has been the basis of every aristocracy that ever existed, and that it is not the *title* but the *wealth* which has always given to aristocracy its power, its tyranny, its luxury, and its vice, the complacent assertion here quoted becomes an unintentional insult to the intelligence and patriotism of the progressive American. The people of this country do *not* have equal rights and privileges, incentives and opportunities, and they never can possess them till the ancient savage doctrine of succession to the position of owner is abolished as well as the other custom of succession to direct political power.

The people may not generally acknowledge these truths at present, but they will be admitted sooner or later, for the unearned and unmerited power involved in succession to fortunes is doomed by rapidly developing moral sentiment. The intense conservatives who desire nothing but the retention of existing conditions, and who dread any kind of a change, may derive temporary consolation from reading of Mark Twain's visit to the court of King Arthur, where the Yankee, fearful that his auditors "might put this and that together," remarks of a rash assertion made by him in the presence of some conservatives of the fifth century as follows :

"I worried over that heedless blunder for an hour and called myself a great many hard names, meantime. But finally it occurred to me, all of a sudden, that these animals didn't reason ; that *they* never put this and that together ; that all their talk showed that they didn't know a discrepancy when they saw it. I was at rest then."

The man who dreads rapid public action in the present day may also rest, for there is much doubt whether the animals of the present era will know a discrepancy when

they see it, or abandon their contests over the different kinds of money to be used, or the exact amount of tariff to be levied, long enough to thoughtfully consider real conditions. Most of them are not searching for discrepancies but are looking for money. According to Mark's philosophy, deduced from his association with King Arthur's people,

"Inherited ideas are a curious thing, and interesting to observe and examine. I had mine, the king and his people had theirs. In both cases they flowed in ruts worn deep by time and habit, and the man who should have proposed to divert them by reason and argument would have had a long contract on his hands. For instance, those people had inherited the idea that all men without title and a long pedigree, whether they had great natural gifts or acquirements or hadn't, were creatures of no more consideration than so many animals, bugs and insects ; whereas, I had inherited the idea that human daws, who can consent to masquerade in the peacock shams of inherited dignity and unearned titles, are of no good but to be laughed at."

And, for another instance, a large portion of the existing people of this country (of which portion the Connecticut Yankee who went to King Arthur's court may be one) have inherited the idea that American institutions are greatly superior to European institutions because our aristocracy has no titles nor heraldry, and only a short pedigree corresponding with the age of the country. They have inherited the idea that the title of a duke and not the power of controlling a dukedom constitutes aristocratic privilege. Having this absurd conception of class privilege, the people of the present worship the shadows of equal rights instead of their substance, and are only a little more rational than the grown-up children who worshiped "peacock-shams" in the days of King Arthur. The man who attempts to disturb the comfortable habits of con-

servatism in either the ninth or the nineteenth century has, indeed, taken a large contract on his hands.

Yet it is well to inquire what sort of men patriots have been and what the real patriotism of the present must be. In English history we have Hampden, Pym, and Cromwell, men whose memories are now cherished as those of true friends to their country. Yet their patriotic deeds consisted of active and persistent opposition to the existing political and social institutions of the age in which they lived. Their creed was the "gospel of discontent," and they were progressionists who bitterly contested the divine right of barbarous institutions to repress human liberty. They were not the conservative patriots of their period, for these were represented by the adherents of tyrannical Charles I.

Before the American Revolution, Washington and Jefferson were subjects of the English king, yet their patriotism was not displayed in the conservation of existing laws and social institutions. They were rebels turned against what they believed to be tyranny in the established laws and government of their country. Instead of looking backward at the deeds of Pym and Hampden, they looked forward to emancipation from such tyranny as had escaped the attacks of the earlier patriots. Abraham Lincoln as a citizen of this country did not raise his eyes in blind adulation to the institutions formulated by Washington and Jefferson, and did not accept the Constitution of the United States as infallibly correct in all its provisions because other patriots wrote it. He did not refuse to see the evils of slavery because many of the early patriots were slave-owners, and because the Constitution established slavery as one condition of "free" institutions. Abraham Lincoln never went through this nation proclaiming conservative patriotism in the style of the customary oration

on the Fourth of July, with his eyes bandaged so that he might not see the actual evils by which he was surrounded.

The conservative teachers define patriotism as reverence for existing institutions, and they would enshrine for worship every stale and worn-out tradition and custom of a barbarous ancestry. Conservatism has preached lies in all ages of the world, and has taught from the theory that the law of progress was suspended when the conservative reached earth. The true patriot has never been a conservative. The real love of country has always been a sincere desire in the minds and hearts of its foremost thinkers for more liberty, greater equality, and better morality ; and, furthermore, for that departure from the precedents established by our more savage ancestry, by which those improvements can alone be effected. Patriotism means progress, and the real tyrants of every age are the men who in the name of country inflict the barbaric institutions of preceding ages upon other men whose development of mind and moral sense has prepared them for better laws and customs, and who instinctively revolt against institutions that to their improved perceptions seem no longer endurable. The real patriot is inevitably cursed and reviled during the era in which he lives, and honored by succeeding generations ; for he is a man somewhat in advance of his associates in moral thought, detested by undeveloped contemporaries who do not understand him, but honored, sooner or later, by all who in the moral progress of society eventually reach the stage to which he had previously arrived. Jefferson was execrated by many of his associates. The memory of Thomas Paine is still a horror to the timorous mind of the religious conservative, yet Paine was as sturdy a patriot as Jefferson, though his nature was not so nobly pure and tolerant. Abraham

Lincoln was bitterly denounced and finally assassinated. In the future progress of this nation, therefore, let not the true patriot—the man whose memory will be revered one hundred years later—suppose that his declarations will be received with the honor their merit deserves. Such tribute of contemporary appreciation and praise for the genuinely patriotic thought has never been accorded in history. Cromwell was hated by the Cavaliers, Washington by the Tories, Lincoln by the Copperheads ; and the patriots of the future will also suffer denunciation by the same kind of people, a century behind the progressionists in their moral and social instincts. There can be no patriotism without fighting social wrongs, and the patriot must be content to wait for future generations to unanimously approve his motives.

If then we would be patriots equal in spirit if not in ability to the great men who have preceded us, let us do even as they did. Let us not gaze in servile admiration at the patriotic work already established in social institutions, but let us inquire what improvement remains to be accomplished by *our* efforts. So long as men shall exist there will still remain new work for patriots to do, for perfection is not obtainable on earth. Human institutions were not perfected when we arrived on earth ; they will not be perfect when we shall have gone. The real duty of the patriotic citizen is not to blindly contend for the maintenance of established institutions, but to thoughtfully and earnestly inquire whether those institutions are equitable, and to lend his assistance in their modification according to the moral light that may have been given to him, for only thus can he work in consonance with the universal law of progress. Every habit and custom of the human race (of which our laws and governments are merely the formal enunciation, all depending upon the intellectual and moral condition of the social units)

has been developed and modified or even abandoned as the race progressed toward its destiny. Social growth toward its highest point, whatever that may be, is not suspended during the lives of those people now in existence. It is probable that social institutions one thousand years in the future will be morally and materially as different from our own as ours are different from those maintained by the barbarous Europeans of the eighth century. We *must* be progressionists, therefore, whether we desire progress or not, and it is better to wisely assist the onward journey than to foolishly obstruct it.

It will be observed by the thoughtful reader, who has followed the argument thus far, that the essential principles which the author desires to establish are two: the right of every human being to a fair opportunity to labor in order that he may produce his own sustenance, and the wrong involved in all claims to wealth that are not based upon some form of productive effort. These principles involve the denunciation of bequests, inheritance, and aristocracies, whether the latter be found among parasitical princes or paupers, for there is little difference in the moral responsibility of demanding something for nothing, whether that thing be obtained by the wheat, gold, or card gambler; the idle successor to some other man's accumulations transferred at his death; the chivalrous highwayman who makes a traveler surrender his purse and returns his watch with a bow; or the nuisance of our lowest levels, who will beg before he will steal, and steal before he will work. All are parasites upon the social body, and the only real difference between the various classes is that some of them excite intense irritation, while others do not. Yet the actual harm to society that is inflicted by the existence of the tramp or the highwayman is probably much less than the injury inflicted by a great gambler in the stock exchange, or by

one of the remarkable young men who in England inherit much idle time with their fortunes, and use it in studying Oscar Wildeism.

Every argument that can be made for the existing system of wealth succession must be founded either upon the absolutely unjust and selfish desire of prolonging our control of wealth beyond the grave, or upon the theory that human beings are entitled to obtain something for nothing by receiving what they never produced, and thereafter retaining that result of other people's exertions in the form of a power and possession that confers upon the successors, to the extent of its value, a species of domination over their fellow-creatures, and especially over those who happen to be poorer. Men may not be immediately prepared to admit the injustice involved in both of these claims, but it is only a matter of time and careful consideration when our existing relics of tyranny in the ancient family government will be entirely abandoned. Under the light of modern ideas, the absurdity of wealth succession, like the other absurdity of political succession, becomes so conspicuous when thoroughly exposed, that it is certain to give way before the same moral influences that destroyed the tyranny of the other condition.

At the present time, society is involved in the inconsistency of crediting the heir with all the desirable remnants of his ancestor's existence, and not of charging him with its undesirable features. The heir succeeds to all the net wealth of the decedent, but if the latter should unfortunately leave behind him merely a parcel of debts, society does not require the successor to pay them. Now it would seem to any reasonable being, that if the heir has any moral right to succeed to his ancestor's wealth, he is also morally bound to pay that ancestor's debts, no matter whether the latter leaves any property or not. There can be no such thing as a right without a corresponding duty,

according to our present conception of such things. Similarly, if the testator has any right to bequeath his wealth to a survivor, and that survivor the right to retain the bequest, there also exists the duty on the part of the testator of bequeathing his debts to somebody when he dies, and the duty on the part of the legatee of promptly paying them. If we are to continue to have successors in their application to wealth, let them be "universal successors" in even a more rigid sense ~~than~~ existed under the Roman laws; ~~for~~, if the life of every individual is to be continued in the person of a successor, let us continue responsibilities as well as privileges. Nature, expressing eternal truth, is more consistent in her laws of heredity, for in them the bad and the good go down honestly together, and the condition is not the gigantic lie that men have established in their laws.

Political action in the United States is rapidly taking the form of an investigation of the causes that underlie industrial depressions and the attendant social evils of which men are now complaining. Because many of these evils are as old as history the superficial observer, who so frequently asserts that "human nature is the same as it was two thousand years ago," dismisses the whole problem as one merely involving a selfish agitation, not seeing the development of moral sentiment that is involved in the social discontent. Millions of human beings have suffered and even starved in preceding ages under the beneficent rule of our ancestors which deprived them continually of rights that we now consider sacred. At every step the unsuccessful man was oppressed or neglected under the universal customs of savage or barbarous life, without any conception existing in the minds of his associates that they owed to their unfortunate fellow-creature any duty except, perhaps, that of not actually murdering him. The wrong of not affording men fair opportunities has always

existed, but in the minds of our ancestors that wrong was right, and humanity of the present only dimly perceives evil in conditions which men of the future will denounce as bitterly as we now condemn slavery.

In their moral perceptions the men of the present are like the blind from birth who receive sight for the first time, their physician being the progress of the race. They are greatly dazzled by the unfamiliar rays, and many whose eyes are not yet opened, still contend that any social provision by which the unfortunates may be permitted to earn a living instead of starving in the good, old barbarous fashion, is contrary to a correct theory of government and tending toward what they call paternalism. Others perceive the injustice by which men are denied the right to earn their own living in the midst of abundant social wealth, but the flood of light has confused them to such an extent that they are likely to destroy the social fabric in their efforts to remodel it. Changes in the money of the nation are demanded, and people rank themselves as silver men, gold men, or even paper men, as though a myriad of additional yardsticks or that many more pound weights would really tend to equalize human opportunities or affect the rights of men in the planet they inhabit. The people of the United States have served Mammon so assiduously that money in their minds seems to be the cause of wealth instead of its result, and men made for coin, instead of coin for men. All political problems are worthy of consideration, but it should be evident to any person who studies the problems discussed in this book, that no matter how the people of the United States change their tariff, whether they absolutely bar out foreign products or admit them free ; no matter whether they have for money, gold, silver, or paper ; whether they have all of these materials in unlimited quantities, so that every industrious man with opportunities could soon obtain a mil-

lion of depreciated dollars, or whether they abolish all kinds of money, and exchange their productions without it ; no matter whether they bar out every foreigner from our shores, or admit all, including the Chinese ; no matter whether the people own the railroads, or the corporations own the people ;—the truth still remains that men will continue to come into the world and go out of it by birth and death. Some children under the present system will be born to inherit wealth which exists independently of its mere representative and measure in the form of money, and others will inherit rags and poverty and their own two hands, for the use of which no adequate opportunity is given to them to carve out a noble human existence. Wealth and opportunities for making wealth become monopolized by human greed, the inevitable over-production of insane human effort is succeeded by the equally inevitable cessation from activity in the industrial depression, and the world is filled with discontent because men have imagined that human happiness is to be secured by the mere accumulation of those things we eat and wear. The new progress of society will not be accomplished by demanding more tariff, more trade, more money, or more wealth in any form that a mysterious creative power has conferred upon weak humanity, for there exists no balm for social irritation except in thinking more and more of human rights and less of human wealth. Internecine war to the death is before our people unless they attain to higher ideals than the worship of gold and silver and paper money.

To justly conceive the real nature of society, let us average the ages of all people now existing in this nation, and consider that they were all born at the same instant and are now thirty-five years of age. Consolidate all the ancestors of these people, who have lived since the dawn of civilization, into a single individual who died just

thirty-five years ago, when we, his children, as average existing humanity came into the world. As children of the dead past, we are naturally and justly equal heirs, but to some the dying father has given wealth and luxury; to others of his children, rags and poverty. With this general view of human existence on earth as the basis, now make a proper allowance for individual efforts and the real nature of the human family, and decide, my reader, before you close this volume, whether, in your inmost heart, you feel that social institutions of to-day are just. In its final analysis, the question for every man to determine is whether Adam, as the historically first occupant and owner of earth, had any right to leave that property to "his heirs and assigns forever," in the language of our deeds, those heirs being embodied in only a few of his many descendants, or whether all the people from time to time own it equally, so far as mere succession is concerned, as entirely distinct from productive effort. Silly as such a question will appear to intelligent men in that form, they have really been for years approving the doctrine that Adam and his delegated representatives, or other successors, have justly a perpetual control of this planet, no matter what inconvenience its other inhabitants may suffer on account of such claims transmitted by heredity.

Will the people of the United States carefully consider the real nature of property and the doctrine of heredity that is now applied to it? Will they lead the world in another declaration of independence, and establish the principle that there shall no longer exist heredity of wealth, as their forefathers declared that there should no longer exist heredity of political privilege and power? Will they firmly establish the later doctrines of the rights of man that are being trampled under the feet of King Mammon, or will they permit the continuance in this

country of institutions that can only produce among us the same disheartening, God-forsaken condition of corrupt aristocracy and class rule that have existed in every European nation? The people must answer from their moral consciousness; if they remain tyrants at heart, we shall still retain tyranny in our social institutions. Our people can do justice if they will.

One stern fact should be impressed on all, be they rich or poor: The only possible result of a continuance in our present wealth conditions, with their tendency toward the creation of hereditary aristocracy, will be civil war, the destruction of lives and property, and the wasteful and inequitable distribution by the sacrifices to our war-god of the vast fortunes that are now being accumulated. Such has been the usual record of history, and we cannot comfort ourselves with the hope that similar conditions will not produce that result in our own country. We cannot maintain a perpetual lie in our social institutions and expect good to come of it; for, sooner or later, nature sets things right again by a spasm of self-adjustment. If there be no change in the nature of our laws, to afford a relief for the rapidly developing bitterness of discontent, it may burst forth any day under the excitement of special aggravation, into the calamity of violent revolution, attended by the tramp of armed men, the flames of burning houses, the din of battle, the horrors of life-destruction, and all the fearful privations and suffering that appal the stoutest heart when every man's neighbor becomes his deadly foe. With renewed business activity, which now seems to be rapidly developing, there will be less discontent among the people, but the nation will suffer other industrial depressions in the future. Meanwhile, let us consider. Is it not wiser and better and *safer* to leave to all children who may succeed us in the control of our earthly home, the heritage of

just, and therefore safe government, wherein all may enjoy fair opportunities and equal rights, with the assurance, so far as men can provide, of a comfortable and happy existence, than it is to bestow upon a few of them the heritage of great wealth, with all its manifold dangers, and upon the others a heritage of poverty and subjection that may convert them into destructive social wolves clutching at the throats of their keepers? The people of this nation have for thirty years been absorbed in sordid devotions ; will they now think of social welfare and of duty to their fellow-creatures ?

APPENDIX.

THE annexed extract from a letter addressed to James Madison embodies the substance of Thomas Jefferson's ideas upon the rights of men in society. In that period, even his daring mind feared to announce them in public lest they should be misunderstood, and they were usually expressed in private letters to his friends. It is a curious commentary on popular intelligence that the doctrines of Jefferson, whom we all justly revere, should bear a very close resemblance to the ideas of the modern anarchists whom we so bitterly condemn. Although Jefferson's nature was one of the purest and grandest ever given to man, no anarchist that ever threw a bomb hated tyranny more than the famous author of the Declaration. It is quite *possible* too, that if his attempts to free this country from English domination had been less successful, he would have died exactly as anarchists do now. It is one thing to be a rebel against society ; it is another thing to be a successful rebel.

CAN ONE GENERATION BIND ANOTHER ?

PARIS, SEPTEMBER 6, 1789.

* * * *

The question whether one generation of men has a right to bind another, seems never to have been started either on this or our side of the water. Yet it is a question of such consequences as not only to merit decision, but place also among the fundamental principles of every government. The course of reflection in which we are immersed here, on the elementary principles of

society, has presented this question to my mind ; and that no such obligation can be so transmitted, I think very capable of proof. I set out on this ground, which I suppose to be self-evident, that the *earth belongs in usufruct to the living* ; that the dead have neither powers nor rights over it. The portion occupied by any individual ceases to be his when himself ceases to be, and reverts to the society. If the society has formed no rules for the appropriation of its lands in severalty, it will be taken by the first occupants, and these will generally be the wife and children of the decedent. If they have formed rules of appropriation, those rules may give it to the wife and children, or to some one of them, or to the legatee of the deceased. So they may give it to his creditors. But the child, the legatee or creditor, takes it, not by natural right, but by a law of the society of which he is a member, and to which he is subject. Then, no man can, by *natural right*, oblige the lands he occupied, or the persons who succeed him in that occupation, to the payment of debts contracted by him. For if he could, he might during his own life eat up the usufruct of the lands for several generations to come ; and then the lands would belong to the dead, and not to the living, which is the reverse of our principle.

What is true of every member of the society, individually, is true of them all collectively ; since the rights of the whole can be no more than the sum of the rights of the individuals. To keep our ideas clear when applying them to a multitude, let us suppose a whole generation of men to be born on the same day, to attain mature age on the same day, and to die on the same day, leaving a succeeding generation in the moment of attaining their mature age, all together. Let the ripe age be supposed of twenty-one years, and their period of life thirty-four years more, that being the average term given by the bills of mortality to persons of twenty-one years of age. Each successive generation would, in this way, come and go off the stage at a fixed moment, as individuals do now. Then I say, the earth belongs to each of these generations during its course, fully and in its own right. The second generation receives it clear of the debts and incumbrances of the first, the third of the second, and so

on. For if the first could charge it with a debt, then the earth would belong to the dead and not to the living generation. Then, no generation can contract debts greater than may be paid during the course of its own existence. At twenty-one years of age, they may bind themselves and their lands for thirty-four years to come ; at twenty-two, for thirty-three ; at twenty-three for thirty-two ; and at fifty-four, for one year only ; because these are the terms of life which remain to them at the respective epochs. But a material difference must be noted between the succession of an individual and that of a whole generation. Individuals are part only of a society, subject to the laws of the whole. These laws may appropriate the portion of land occupied by a decedent, to his creditor rather than to any other, or to his child, on condition he satisfies the creditor. But when a whole generation, that is, the whole society, dies, as in the case we have supposed, and another generation or society succeeds, this forms a whole, and there is no superior who can give their territory to a third society, who may have lent money to their predecessors, beyond their faculties of paying.

What is true of generations succeeding one another at fixed epochs, as has been supposed for clearer conception, is true for those renewed daily, as in the actual course of nature. As a majority of the contracting generation will continue in being thirty-four years, and a new majority will then come into possession, the former may extend their engagement to that term, and no longer. The conclusion, then, is, that neither the representatives of a nation, nor the whole nation itself assembled, can validly engage debts beyond what they may pay in their own time, that is to say, within thirty-four years from the date of the engagement.

To render this conclusion palpable, suppose that Louis the XIV and XV had contracted debts in the name of the French nation, to the amount of ten thousand milliards, and that the whole had been contracted in Holland. The interest of this sum would be five hundred milliards, which is the whole rent-roll or net proceeds of the territory of France. Must the present generation of men have retired from the territory in which nature produces them, and cede

it to the Dutch creditors? No; they have the same rights over the soil on which they are produced, as the preceding generations had. They derive these rights not from them, but from nature. They, then, and their soil are, by nature, clear of the debts of their predecessors. To present this in another point of view, suppose Louis XV and his contemporary generation had said to the money-lenders of Holland, "Give us money, that we may eat, drink, and be merry in our day; and on condition you will demand no interest till the end of thirty-four years, you shall then, forever after, receive an annual interest of fifteen per cent." The money is lent on these conditions, is divided among the people, eaten, drunk, and squandered. Would the present generation be obliged to apply the produce of the earth and of their labor, to replace their dissipation? Not at all.

I suppose that the received opinion, that the public debts of one generation devolve on the next, has been suggested by our seeing, habitually, in private life, that he who succeeds to lands is required to pay the debts of his predecessor; without considering that the requisition is municipal only, not moral; flowing from the will of the society, which has found it convenient to appropriate the lands of a decedent on the condition of a payment of his debts: but that between society and society, or generation and generation, there is no municipal obligation, no umpire but the law of nature.

The interest of the national debt of France being, in fact, but a two-thousandth part of its rent-roll, the payment of it is practicable enough; and so becomes a question merely of honor or of expediency. But with respect to future debts, would it not be wise and just for that nation to declare in the constitution they are forming, that neither the legislature nor the nation itself, can validly contract more debt than they may pay within their own age, or within the term of thirty-four years? And that all future contracts shall be deemed void, as to what shall remain unpaid at the end of thirty-four years from their date? This would put the lenders, and the borrowers also, on their guard. By reducing, too, the faculty of borrowing within its natural limits, it would bridle the spirit of war, to which too free a course has been procured by the inattention of moneylenders to

this law of nature, that succeeding generations are not responsible for the preceding.

On similar ground it may be proved, that no society can make a perpetual constitution, or even a perpetual law. The earth belongs always to the living generation : they may manage it, then, and what proceeds from it, as they please, during their usufruct. They are masters, too, of their own persons, and consequently may govern them as they please. But persons and property make the sum of the objects of government. The constitution and the laws of their predecessors are extinguished then, in their natural course, with those whose will gave them being. This could preserve that being till it ceased to be itself, and no longer. Every constitution, then, and every law, naturally expires at the end of thirty-four years. If it be enforced longer, it is an act of force, and not of right. It may be said, that the succeeding generation exercising, in fact, the power of repeal, this leaves them as free as if the constitution or law had been expressly limited to thirty-four years only. In the first place, this objection admits the right, in proposing an equivalent. But the power of repeal is not an equivalent. It might be, indeed, if every form of government were so perfectly contrived, that the will of the majority could always be obtained, fairly and without impediment. But this is true of no form. The people cannot assemble themselves ; their representation is unequal and vicious. Various checks are opposed to every legislative proposition. Factions get possession of the public councils, bribery corrupts them, personal interests lead them astray from the general interests of their constituents ; and other impediments arise, so as to prove to every practical man that a law of limited duration is much more manageable than one which needs a repeal.

This principle, that the earth belongs to the living and not to the dead, is of very extensive application and consequences in every country, and most especially in France. It enters into the resolution of the questions, whether the nation may change the descent of lands holden in tail ; whether they may change the appropriation of lands given anciently to the church, to hospitals, colleges, orders of chivalry, and otherwise in perpetuity ; whether they may abolish the charges and privileges attached on

lands, including the whole catalogue, ecclesiastical and feudal ; it goes to hereditary offices, authorities, and jurisdictions, to hereditary orders, distinctions, and appellations, to perpetual monopolies in commerce, the arts or sciences, with a long train of *et ceteras*; and it renders the question of reimbursement a question of generosity and not of right. In all these cases, the legislature of the day could authorize such appropriations and establishments for their own time, but no longer ; and the present holders, even where they or their ancestors have purchased, are in the case of *bona fide* purchasers of what the seller had no right to convey.

* * * *

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